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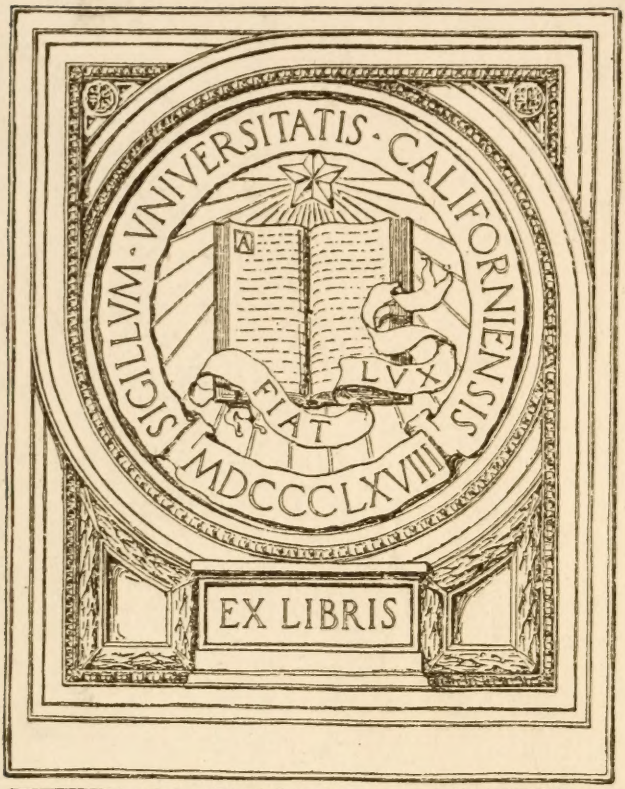
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III

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COLLECTANEA

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EDITED BY

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Oxford

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PREFACE

It cannot be said that we have made as rapid a progress with the Histories of Colleges as sanguine people expected; but the need is great, as any one may find who attempts to discover what influence a particular College was likely to have had over some one or other of its distinguished members at the time of his residence. Without counting the Registers which have been published at Exeter, Magdalen, and Wadham Colleges—excellent in themselves, and a great help to a future historian—there are only three Colleges which can yet boast a history. But there are many other obvious reasons for producing such histories. They go a long way towards exciting esprit de corps, towards promoting in members a desire to emulate their predecessors, towards dispelling foolish legends, above all in enabling future historians of the University to measure the forces which went to make up University history, and to aid them in grasping those forces as a whole.

It is, however, a great satisfaction to the Editor of this volume that he is able to include in it some portion of the history of Trinity and Hertford Colleges. That of the former is indeed only a sketch, from documents which have been preserved at Durham, of the institution which preceded Trinity on the same site. But some parts of the old Durham College still survive in the fabric of its successor, and the modern name is thought by the learned Author to have been possibly derived from Bishop Hatfield's intended dedication. All that could be gathered from these interesting papers has

been pieced together with the skill of an expert and the highest intelligence by Mr. Blakiston. Amongst other things, a list of wardens, which goes back to 'c. 1316,' introduces us to a new set of Heads of Houses, exceeded in antiquity of tenure by Balliol and Merton only. The seals which were found appended to some of these long-buried papers deserve attention, especially that of the 'Parishioners of St. Mary Magdalen, Oxford, 1326.' This is almost unique, and at any rate very rare. Ancient seals of Churches, Corporations, Liberties, Hundreds, &c., are common enough; not so seals of parishioners in towns. The device is also interesting. In this parish was situated Beaumont Palace, where Richard I was born, and he either used or had assigned to him as a badge this same very significant device, a crescent surmounted by a star. It is therefore more than probable that the parish adopted the device out of regard for the memory of their great parishioner.

No research is likely to afford us any similar light as to the history of Hart Hall, which started contemporaneously with Durham College. Nurtured by no such alma mater as the great Benedictine Monastery of Durham, with no Cathedral Dean and Chapter to preserve its documents, we run our eyes down a catalogue of sixty-four Principals before it enters upon the second stage of its existence, a list covering a period of 458 years (1282–1740); and as this is all that remains, we gain no idea whatever of anything in the history of the Hall, either instructive, or distinctive, or interesting. What the Calendar tells us must be enough for us:—'About the year 1282, Elias de Hertford converted into a Hall for students certain premises in Oxford which were thereafter known by the name of Hertford, Hert, or Hart Hall,'—the latter apparently being familiar abbreviations of the first name, and which gradually took its place. It seems to have been 'respectable,' and it must have had some sort of staying power to be one of the six Halls which alone survived some two or three hundred of their brethren, and, defying the

absorbing strength of the Colleges, have come down to nearly our own times. But it and its successors, instituted on the same site, have had one mark in common. They have always, until quite recent times, been afflicted with the wearing disease of impecuniosity. The Hall was in a poor condition when Dr. Newton took it in hand and turned it into Hertford College. His was a sickly plant; it underwent a lingering decline under its new constitution, and died a natural death in 1805. Its site and part of its small endowments were transferred to Magdalen Hall, when that institution broke up from its old quarters by the side of its parent College. That third phase of existence lasted for half a century, and was in many respects a success, but it was always seriously cramped for want of funds. When again the energy of its last Principal, Dr. Michell, was employed in the attempt to turn it once more into a College, the old fate still seemed impending over it, but the munificence of Mr. Thomas Baring, M.P., came to the rescue, and in 1874 it emerged to greatness with a new Charter and a splendid Foundation, under which it has become one of the most distinguished Colleges in Oxford, only wanting in buildings corresponding to its importance.

Fortunately for the second stage of its existence, or rather for the opening of that stage, Dr. Newton, the founder, was a marked character, an ardent reformer, and blessed or cursed with an uncontrollable love of pamphleteering. There is therefore no lack of material, and to the present Principal of Hertford, Dr. Boyd, the Oxford Historical Society is indebted for the production of all the papers still left in the College. He was successful in finding in one of his Fellows, Mr. S. G. Hamilton, a thoroughly capable writer, who has made the way plain through a maze of legal and other difficulties, and has presented to us a truly worthy clergyman, a gentleman and an enthusiast; but if ever there was a University Don Quixote, he was the man. Unfortunately, while the fictitious extravagances of the knight killed a

debased knight errantry, the absurdities of the reformer had a good deal to do with killing the reforms on which he and some others had set their hearts. He was not, however, the only person to blame. We may hardly refrain from a smile at the good founder, but no one can help observing that he suffered no small amount of ill-treatment from his neighbours. Between them the University threw away one of its very few opportunities of escaping in some degree from the bad character which has been fastened upon its career during the eighteenth century.

Besides the history of Durham College, three other mediaeval subjects have been taken in hand by peculiarly well qualified writers. For the first time the volumes of Collectanea have been honoured by the assistance of a lady. Miss Lucy Toulmin Smith, having derived a considerable knowledge of mediaeval antiquities from her father, the well-known antiquary, as well as from her own studies, has spared no pains to bring it to bear on the 'Ancient Petitions' concerning Oxford which have been so long waiting in the Record Office for some one to interpret them. To call upon a scholar of Mr. Furneaux's eminence to edit the quaint mediaeval poems now first placed within popular reach, may seem to sin against the proverb which forbids one to harness a race-horse to a wagon: but the advantage of placing the work in his hands will be apparent enough to those who examine his notes and emendations. They at least will understand the labour which he has so kindly bestowed on a subject lying quite outside his own field of study. Who again could more properly deal with the list of books presented to New College by its famous founder and other ancient benefactors than a distinguished member of that great institution, who is familiar with these subjects as an Assistant Charity Commissioner, and as one of the Council of the Society of Antiquaries? We have to join him in thanking the venerable Warden of the College for permission to use these lists, and Mr. Leach hints that the treasure is by no means exhausted.

For the two remaining papers the Society is indebted to two meritorious officers of the University Press. Some cynical observers, affecting to despise the University methods of education, have been heard to admit that Oxford does possess two useful institutions, the Bodleian Library and the Clarendon Press. They will appreciate the latter all the more when they read the Controller's interesting account of some important episodes in the progress of the art of printing at that institution. How few of us ever understood the part which the ingenious Lord Stanhope took in the process, or are at all aware of our obligations! The beautiful picture of him which the head of the family has kindly allowed Mr. Horace Hart to insert in this volume will help us to remember this remarkable man.—Further, the lapse of two centuries has not enfeebled the interest which our people take in the last battle fought in this island—witness the popularity of Dr. Conan Doyle's fine historical novel, Micah Clarke; and in the correspondence so ably edited by Mr. Doble, we find ourselves behind the scenes, at least as far as the relations between the Court and the University are concerned, and in contact with those who pulled the strings.

The mention of the Bodleian suggests that it would be unpardonable not to mention the work done for this volume, as for its predecessors, by the learned and indefatigable Mr. Falconer Madan, the Secretary of the Committee. Without his initiative and ever-ready help scarcely one of them would have seen the light. Lastly, the illustrations above mentioned do not stand alone in this volume. It is hoped that the subscribers will approve of the innovation, and join the Editor in gratitude to those who have taken so much trouble to add to the general interest of the book.

MONTAGU BURROWS,

CHICHELE PROFESSOR OF MODERN HISTORY, ETC.

December, 1896.

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PLATE I

PARISH OF
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MAGDALEN

HOSPITAL
OF ST. JOHN

GODSTOW
ABBEY

ST. FRIDESWYDE'S
PRIORY

OSENEY ABBEY

DEANERY OF OXFORD

OXFORD SEALS c. 1300 FROM DURHAM COLLEGE CHARTERS

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Frontispiece

PART I.

SOME DURHAM COLLEGE ROLLS

EDITED BY

THE REV. HERBERT E. D. BLAKISTON, M.A.,

FELLOW AND TUTOR OF TRINITY COLLEGE, OXFORD

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Bird's-eye view of Trinity (Durham) College in 1675 from D. Loggan's 'Oxonia Illustrata.'

INTRODUCTION

THE following documents, which (except C and D) are now printed for the first time, are selected from a box of rolls in the Treasury of the Dean and Chapter of Durham. They relate primarily to the affairs of the interesting and unique foundation of the 'College of Monks of Durham Studying at Oxford,' the site and buildings of which, soon after its dissolution, were acquired by Sir Thomas Pope, the founder of Trinity College: but they may also throw some fresh light on the general conditions of academic life in the fourteenth and fifteenth centuries. My attention was first[1] called to their existence by a reference to the collection in the late Rev. Joseph Stevenson's small pamphlet on Durham College[2]; and it seemed possible that the Bursarial rolls might furnish information as to the old buildings, still existing or seen in Loggan's view, of a more trustworthy character than the current statements. Accordingly, in the autumn of 1891, I obtained an introduction to the Librarian of Durham Cathedral, the Rev. W. Greenwell, D.C.L., to whose prompt assistance and constant interest I feel most deeply indebted; and on his motion and that of the Archdeacon of Northumberland, supported by a kind letter of recommendation from the Bishop of Oxford[3], the then Dean and Chapter most liberally granted me the use of the whole collection, and even allowed me to have the rolls at Oxford that I might work through them at my convenience. The thanks of the Oxford Historical Society are due to the Dean and Chapter for permission to include these documents in the present volume,

[1] Unfortunately I was unable to inspect them before completing my article on Trinity College for the Rev. A. Clark's Colleges of Oxford. Several statements made there on the authority of Wood, Warton, and Ingram can now be corrected.

[2] Some account of Durham College, Oxford, &c. (By the Rev. Jos. Stevenson, M.A., Univ. Coll., Durham.) Durham: F. Humble. 1840.

[3] Who had at one time contemplated editing the whole of these rolls, with various charters, &c., for the Surtees Society.

and to the Surtees Society for the use of C and D. I hope that this necessarily brief contribution may pave the way for a more elaborate work on the same subject.

The collection of Durham College rolls seems to have been made c. 1530[4] by a neat but inaccurate monk, who docketed each with a date and a short title, usually the name of the Warden or Bursars. After this they remained undisturbed till the present century, when Mr. Stevenson examined them cursorily. He does not seem to have detected the inaccuracies of the original endorser; and, unfortunately, in cases where the exterior (i. e. the upper end) of a roll had decayed, he re-rolled it from the top, sometimes crushing the decayed inch or two inches into undecipherable fragments. However, I managed to read through the whole series; and by comparison of duplicates and careful observation of the balances and deficits carried over I found it possible to date exactly all the Compoti except a few of c. 1490 which are written on very inferior parchment. Some of the documents demanded complete transcription; and most contain interesting entries[5], especially (as I had hoped) about the buildings at Oxford. This feature may be attributed to the fact that the accounts were intended for the information of the distant Prior and Convent; and the same reason will account for the existence of so many duplicates[6]. Most of the rolls in the box (225 in all) are in good preservation, though often discoloured[7]. The following is a short catalogue of the contents of this set; a large quantity of the title-deeds, licences, covenants, &c., for the appropriated rectories is separately preserved.

I. Compotus rendered by the Warden, or Warden and two Bursars, made up at first to Easter or to some feast in July or August, but afterwards to Michaelmas, and described by the docketer, whom I have followed for convenience of reference,

[4] The figures are so archaic that one would date them about 1400, if they did not occur on all except the three sixteenth-century documents. The same hand, I am convinced, finished down to 1530 the lists of Bishops and Priors prefixed to a collection of Durham hagiographies and chronicles, which was in the Cloister Library in 1395 (Cat. Vet. p. 55), and is now MS. Bodl. Fairfax vi. This MS. seems to have been added to by the original scribe ('nomen scriptoris est Petrus plenus amoris') till after 1416, and received various continuations till about 1571. It is clearly identifiable by the letter P on the first folio, and the first words 'ramine et prudencia' on the second (see Introd. to C, p. 38).

[5] About five-sixths of each compotus deals with the management of the estates, matters interesting rather to the parishes of Frampton, Fishlake, &c., than to Durham Abbey or College.

[6] Some copies are marked 'Pars Prioris,' others 'Pars Altera'; after 1480 an original docket of 'pro cnc'' or 'pro cācell'' (cancellaria) is common.

[7] Between 1450 and 1470 the accounts are written in a handsome character on splendid parchment, at considerable expense; they conclude with 'Item in pergameno et scriptura compoti ij^{s}.' The smaller rolls cost 1*d.* or 2*d.*

by the date of commencement. The accounts run without a break from 1389 to 1433, and then with a few gaps, which were noted by the original collector[8], from 1434 to 1496. There are forty duplicates, and in fifteen years a third copy as well; and four copies of one account (1461–2). The rolls for the years 1392–3 and 1462-3 (see below, G and H) are typical specimens of the forms used and expenses prevailing at an interval of fifty years.

II. Compotus rendered quarterly by the Bursars: of this there are fifty-four scattered specimens (see below, J), with a fairly consecutive series from Michaelmas 1422, to Christmas 1425, and another from Michaelmas 1431, to Michaelmas 1439. Many of these rolls are very small and contain the briefest summaries, but in others there are details not specified in the annual statement.

III. Compotus (on paper) of the years 1540–1 and 1541–2. The latter, disclosing facts absolutely unsuspected hitherto, is printed below (K).

IV. Five compoti of John Berington (Prior of Finchale c. 1384), who was charged (c. 1380) with the investment of Hatfield's fund of £3,000 for the endowment of the College, and managed its affairs generally during the transition period of 1380–9. Unfortunately there is something missing between 1382 and 1387. With these are paper drafts or copies of portions of the 'Ordinatio' or covenant for Hatfield's foundation, and a dissertation, drawn up in 1422, on the relations of the College to the Prior Studentium (see below, A).

V. A tattered paper containing a draft (?) of a 'Sententia Radulphi Stele de defectu scolarium,' with which I should associate a roll of Answers by the Prior and Convent to an inquiry on the same subject (? by Bishop Skirlaw, c. 1405).

VI. A short summary of part of the expenses incurred in building a new chapel, 1406–8 (see L).

VII. Two lists of books sent from Durham for the use of the students (see B and D); and three inventories of vestments, plate, furniture, &c., belonging to them in 1428, 1450, and 1456 (see E and F).

VIII. Four miscellaneous rolls; one is a 'Compotus Procuratoris Ecclesie de Frampton,' the other three have no connexion at all with the College.

The documents which I have selected will be best introduced by a sketch of the constitution and history of the

[8] This appears from some dockets on the rolls concluding a period. The missing (academic) years are 1433–4, 1441–2, 1445–6, 1450–3 (Warden Richard Bell), 1463–4, 1465–7, 1475–8, 1479–80, 1483–4, 1492–5 (perhaps two of these are the rolls which I did not care to attempt to open).

Durham settlement at Oxford; and I must reserve for a better opportunity a more detailed description of the site, buildings and endowment [9].

DURHAM COLLEGE may be defined, even after it received its semi-independent endowment, as a Cell [10] of the monastery of Durham, and its inmates were Durham monks temporarily resident in Oxford at the discretion of the Prior. It consisted originally of a small 'manse' or private lodging-house for a few students, the establishment of which was probably suggested by the success of Walter de Merton's adaptation of the monastic system. The Benedictines had no settlement nearer than Eynsham or Abingdon, and when the monks of St. Peter's at Gloucester secured in 1283 a benefactor who provided them with a hall for thirteen students near Beaumont Palace, the other great abbeys of the southern province, at a chapter held at Abingdon in 1291, decided to combine for a general monastic college consisting of separate hostels to be united with 'Gloucester Hall'; and the arms of St. Alban's and others may still be seen at Worcester College. But the rich northern abbey of Durham had already made its own arrangements, as indicated by the contemporary chronicler, Robert de Graystanes, in his account of the second Priorate of Hugh de Derlington (1286–7 to 1289–90).

'Ricardum etiam de Hoton suppriorem praefecit in Priorem de Lithum [11], et cum ipse ibi prospere se haberet, amovit eum, et conventualem apud Coldingham eum fecit; oderat enim eum, eo quod ipse, supprior existens, tempore Ricardi de Claxton Prioris, veniens apud Fynchall, in festo nativitatis Johannis Baptistae, locum et fratres visitaturus, ut supprior consueverat, interrogavit, cui H. quondam prior confiteretur; cui H. praedictus respondit, "Scio, fili, quid habeo facere et animam custodire

[9] The printed materials for this introduction, frequently quoted below, are (1) various volumes published by the Surtees Society, esp. Raine's Historiae Dunelmensis Scriptores Tres,' among the appendices to which are specimens of letters, bulls, licences, &c. preserved in the registers of Bishops and Priors of Durham; (2) Wilkins, Concilia ii. 613 sqq.; (3) Acta, &c. of the Benedictine Chapters in Wilkins, and in Reyner's Apostolatus Benedictinorum in Anglia, Appendix, Part III; (4) various notes and descriptions by Aubrey, Wood, and Stevens, partly original, partly drawn from the manuscript Collectanea of Brian Twyne; (5) scattered deeds in Warton's Life of Sir T. Pope, Hutchinson's and Surtees' Durham, and the Cartulary of St. Frideswide's. The summaries of Wood, Ingram, Maxwell Lyte, and Willis and Clark are all useful but inaccurate, and the plan in vol. iii. of the Arch. Hist. of Cambridge is quite impossible. There must be many references still unextracted in the Registers of Durham priors and Lincoln bishops.

[10] The others were Finchale, Holy Island, Coldingham, Jarrow, Wearmouth, Lytham, and St. Leonard's near Stamford. For a specimen of the Prior's discretion see the extract from Graystanes above.

[11] Wharton in his Anglia Sacra read *Lychne*, and Wood absurdly conjectured *Lychfield*; in my article on R. de Hoton in the Dict. of Nat. Biogr. I naturally followed Raine, but a sub-editor at the last moment consulted the obsolete text of Wharton, and then from *Lychne*, which does not exist, conjectured *Lynch*, which is a village in Sussex!

sicut tu tuam." Haec igitur inquisicio ei fomitem invidiae et occasionem odii ministrabat. Unde postea effectus Prior, odio Ricardi de Hoton, qui juvenis graciosus erat, monachos misit Oxoniam ad studendum, et eis satis laute expensas ministrabat, malo occasionem administrante bono, sicut peccatum unde fuit occasio redemptionis nostrae[12].'

It is not improbable that Richard, whom we know from his subsequent history[13] to have been a restless person, was at some time discharging the duties of the 'magister[14],' who instructed the younger monks in the 'primitive sciences' of Grammar, Logic, and Philosophy, and that Prior Hugh may have wished to diminish his influence. However, on succeeding his enemy as Prior, he did not reverse his policy, and the first thing that Graystanes records of him is that 'locum Oxoniae comparavit et aedificare fecit;' and he has accordingly often been termed the founder of Durham College.

This meagre account is confirmed as to date by the existence of certain documentary evidence: (1) a grant of arable land in the suburbs of Oxford 'fro a diche thurte over in Bewmonte' (Park Street), and 'voide grounds beside Peralowse Hall in Horsemonger Strete' (Canditch or Broad Street), from Mabel (Wafre), Abbess of Godstow, to the Prior and Convent of Durham in 1286[15]; (2) a warrant relating to a claim by the king's Escheator in 1288[16]; (3) a demise of two plots of land from the Prior and Convent of St. Frideswide c. 1290[17]; and (4) an inquisition taken by the crown in 1291 respecting the lands and tenements which the Prior and Convent of Durham had obtained within Oxford, with reference to the statute of Mortmain[18]. From these documents it appears that five or six acres (or more, if the grantors mentioned in 4 are not merely the tenants of the land mentioned in 1) of building-land in the suburbs had been acquired for the site of the Durham Hall before 1291; and there is no reason to suppose that this was not conterminous[19]

[12] Hist. Dunelm. pp. 72–3, where Raine reads 'administrante bono sicut peccatum. Inde fuit,' &c. This gives no sense; and I have ventured to conjecture 'unde'; it would be an additional improvement to read 'boni' for 'bono'. 'Fomitem' is an almost certain emendation for Raine's reading 'fountem.'

[13] See my account of him in the Dict. of Nat. Biog., and the Bishop of Peterborough's memoir of his aggressive bishop, Anthony Bek.

[14] See the Benedictine Constitutions, 'de studiis' (Wilkins, Conc. ii. 594), and the excellent description in the Rites of Durham (Surt. Soc. 1843; quoted below, p. 16) of the system as it was in the sixteenth century.

[15] Printed by Warton (Life of Sir T. Pope, App. vi); it is dated by the coincidence of this Abbess with the *second* mayoralty of one of the witnesses 'Phil. de Ho, tunc Majoris Oxon.' See Addenda.

[16] Described without a reference in Stevenson's pamphlet, p. 3. But see p. 73.

[17] Printed in Cartulary of St. Frideswide's, ed. Wigram (O. H. S.), i. 372.

[18] Rot. Pat. 19 Edw. I m. 20 in schedula: summarised by Stevenson, p. 13, and by Wood (City of Oxford, ed. Clark, ii. 265).

[19] But see H. note 6.

with the area which passed to Trinity College. In 1309 'the land of the monks of Durham' was specified as a boundary in some grants made to Balliol Hall[20]; but the buildings cannot have been extensive, since in 1338 it is still termed simply a site or 'place' (platea)[21].

Stevenson mentions a petition drawn up by the Prior of Durham, c. 1300, 'complaining of the expenses incurred in supporting the college, and praying that the church of Brantingham be appropriated to the monks of Durham for this object[22]; stating that the college consisted of ten, eight, or six monks, and had already produced several learned men who had settled in Durham.' In 1316, and again in 1333, we find the Prior Oxoniae, or superior of the student monks, voting with the heads of the other cells at the election of a Bishop of Durham[23]; other names might be recovered from similar records in the Durham registers. The definite position assigned to this officer proved very important to the students in the next century, when an attempt was made to bring them under the jurisdiction of the general Prior Studentium, who appears to have resided 'in loco nostro communi in Stokwelstreete situato[24].' Prior Wessington's dissertation on this subject is valuable both for the citations it contains and as a specimen of the laboured argument which was considered relevant in such matters. There are remarkable omissions; perhaps references to Graystanes and the Simondburn charter would not have strengthened the case. But the main contention is sound, as it could not be disputed that the Durham house had existed before 1337, and that it was then under the charge of a competent superior, with regulations similar to those of Benedict XII and such as his Constitutions distinctly exempted from interference. In 1337 the halls at Oxford were practically recognized by these Papal constitutions for the reform of the Benedictine order, expressly requiring the monasteries to send to the 'generalia studia' of the regular Universities five per cent. or more of their total numbers, to be under the rule of a Prior who was to be chosen by the 'presidents' of the provincial chapter[25]. These injunctions were adopted in 1338 at Northampton, where were afterwards held the triennial councils, at which the working of the educational scheme was one of the most regular subjects of

[20] Savage, Balliofergus, § 18, p. 29.
[21] Edward III's charter to Richard de Bury (Wilkins, Conc. ii. 613); see below.
[22] Page 4, again without a reference.
[23] See List of Wardens, nos. 1 and 2; A. par. 3; Hist. Dunelm. p. 120.
[24] Wilkins, Conc. ii. 725 a.
[25] The material section is cited in A. par. 2.

discussion[26]. A Doctor in Theology, with a salary of £10, is found occupying a chair at Gloucester Hall from 1343, and the southern students were bound to incept under him. There was also a design of establishing in the northern college for a similar purpose 'doctorem theologiae cathedram occupantem in loco monachorum Dunelmensium super Canditch situato, cum pro eo missum fuerit[27]'; but apparently it fell through.

In 1338 an attempt was made by the great book collector Richard (Aungerville) de Bury, since 1333 Bishop of Durham, to provide the Durham Hall with a permanent endowment. He persuaded his former pupil, Edward III, to discharge a vow made at the battle of Halidon Hill by surrendering the claims of the crown to the valuable rectory of Simondburn, a very large parish in the valley of the North Tyne, and allowing it to be appropriated to a house (to be dedicated to God and St. Margaret) for a Prior and twelve monks of Durham studying at Oxford, under statutes to be made by the Bishop[28]. I fear it must now be conceded that Aungerville's great design of bequeathing his famous library of MSS. 'more than all the Bishops of England had then in their keeping,' also failed, since it seems that he died deeply in debt, and that the only volumes known to have belonged to him were sold to the Abbot of St. Albans by his executors[29]. The only positive evidence for the presence of this collection in Oxford is the statement of the inaccurate Dr. Thomas Cay that he saw and read in the library of Durham College: 'postremis

[26] Reports of the proceedings, and several sets of reforming statutes, are printed by Wilkins and Reyner: the dates are 1338 (Reyner, p. 99), 1340 (p. 103), 1343 (pp. 105, 162), 1423 (pp. 164, 170), 1426 (p. 180), and 1444 (p. 113).

[27] 'When he shall have been sent for:' the whole document (Wilkins, Conc. ii. 729) is well explained in Willis and Clark's Cambridge, vol. i. pp. xlvi–lii, and Maxwell Lyte's Oxford, pp. 102–5.

[28] The grant, which never took effect, is printed from Aungerville's Register in Wilkins' Conc. ii. 613, and in the Reg. Pal. Dun. iii. 210–2. Simondburn was given to the Canons of St. George's Windsor; then sold by Richard III; and eventually passed to Greenwich Hospital among the forfeited property of the Earls of Derwentwater.

[29] See the discussion, and especially the citation from Adam de Murimath, in Mr. E. C. Thomas's edition of the Philobiblon, pp. xxvi–xlvii. The right reading in c. 19, often cited as a reference to the Durham hall, seems to be 'communitati scholarium in aula ·N· Oxoniensi degentium.' The Bishop's design is expressed in the previous chapter as follows: 'Nos autem ab olim in praecordiis mentis nostrae propositum gessimus radicatum, quatenus opportunis temporibus expectatis divinitus aulam quamdam in reverenda universitate Oxoniensi, omnium liberalium artium nutrice praecipua, in perpetuam eleemosynam fundaremus, necessariisque redditibus dotaremus; quam numerosis scholaribus occupatam, nostrorum librorum iocalibus ditaremus, ut ipsi libri et singuli eorundem communes fierent, quantum ad usum et studium, non solum scholaribus aulae tactae, sed per eos omnibus universitatis praedictae studentibus in aeternum, secundum formam et modum, quem sequens capitulum declarabit.' See also my Addenda below, p. 73.

Henrici octavi annis, hunc Aungervillii librum, cui Philobibli titulum indidit, eundem ipsum indubie quem ipsemet bibliothecae illi vivus contulerat[30].' Murimath's curious remark that the books filled five large carts suggests also that they travelled somewhere *as a collection*. But no confirmation has ever been obtained of the conjectures that the volumes which survived destruction and neglect were appropriated by Balliol College, or passed from Dr. George Owen, the first layman who acquired the site, into the collection of Archbishop Parker[31]. To this must now be added the negative evidence of these rolls. For the library was not built till more than seventy years after Aungerville's death[32]; and a community possessing his extensive collection would hardly have needed the works mentioned in the lists C and D.

The document printed below as B, the most ancient in this box, throws some light on the state of the College under Gilbert Elwyk. The list of books lent to the students by the Convent represents a sufficient variety of subjects; logic, physics and metaphysics appear as well as patristic and scholastic theology; and this catalogue should be carefully compared with the two similar documents of the following century. It is probable, moreover, that some of these volumes remained in the possession of the College—which certainly treated some books as its own, since it borrowed money on them; it also paid for the binding and ornamentation in some cases[33].

This inventory of 1315 informs us that even then the students were provided with an outfit of vestments and ornaments for celebrating mass, and presumably with a chapel or oratory for the purpose. Whether there was any previous building, too small in Richard de Bury's opinion to be called

[30] Hearne's Vindiciae Antiquitatis Acad. Oxon., ii. 432.

[31] The single MS. usually stated to have been a Durham College book now turns out to have belonged to Lincoln (Macray's Bodleian Annals, *second edition*, notes on pp. 23, 446). Possibly the books were saved for Durham by Prior Whitehead and Wardens Hyndmer and Clyff: see B, note 7.

[32] Comp. 1417, Item in edificacione librarie cum meremio empto xlij^{ll}; cf. Comp. 1431, Item in descis nouiter factis in libraria cum tabulis et aliis necessariis emptis ad eandem' vj^{ll} xvj^{s} viij^{d}; and Comp. 1436, Item in vitriacione unius fenestre in libraria xxvj^{s} viij^{d} (probably the large south window, where the Durham College arms still remain in the quatrefoil at the top); also Comp. 1474, Item in ligacione et cathenacione diuersorum librorum xiij^{s} iiij^{d}.

[33] See B, note 14; and cf. Berington's Comp. 1387–9, 'In reparacione librorum collegij,' 6*s.* 8*d.*; 'In denarijs solutis pro uno libro vocato doctor profundus eidem collegio legato per Henricum Stapilton,' 26*s.* 8*d.*; Comp. 1407, 'Pro ligatura unius libri,' 23*s.*; Comp. 1436, 'In factura et deornacione maiorum et minorum literarum capitalium et paraffes (*paragraphs, flourishes, Cath. Angl.*) unius tabule libri summe confessorum,' 2*s.* 6*d.* Bishop Langley (1406–1437) left the college 10*l.* and 'librum integrum Augustini super Psalterium in tribus voluminibus' (Hist. Dun. app. ccxi).

'ecclesia,' on the site of the chapel built in 1405–8, it is impossible to say. The licence for a 'cantaria' was procured from Henry Burghersh, Bishop of Lincoln 1320–40 [34], probably about the year 1326, when a composition dated 5 Oct., was made between the Warden and the Abbot of Osney, by which the latter agreed to take 2*s.* per annum in satisfaction of all tithes and oblations due to the parish church of St. Mary Magdalen, which belonged to Osney Abbey[35]. That the original chapel was an oratory on an upper floor seems to me to be indicated, not only by the arrangement of the earliest buildings, but by the fact that the 'Bulla Sepulture' was not obtained till 1411–2; see L, and notes.

The commission to hear confessions (A, par. 5), probably selected as the earliest extant (unless it is simply the formula), was no doubt issued to a new warden on his appointment. The unused licences (A, par. 6 and 7) to annex the church of Appleby mark another attempt to secure a permanent endowment by the favourite method of 'appropriation.' The students were at this time supported by the Convent of Durham, with 'pensiones,' 'contributiones,' or 'dona' from the Cells. They would be entitled to their usual shares of the 'oblaciones' and allowances for clothes and commons from the Feretrarius, Camerarius, and Communarius; and these continued, though irregularly, for some time after the endowment by Hatfield [36]. They must have possessed, besides the chapel or oratory, three or four living rooms at least, with a small refectory, buttery and kitchen, and a stable. I should conjecture from the style and the absence of mention at a later date, that c. 1380 the College consisted of a hall on the site of the present hall of Trinity College, with the still existing buttery and a kitchen beyond it; that of the two large rooms

[34] Collectanea B. Twyne, ii. f. 28 b.

[35] Wood's City of Oxford (ed. Clark), vol. ii, p. 270.

[36] Payments from Coldingham occur between 1360 and 1374 of amounts varying from 6*s.* 8*d.* to 10*s.* (Coldingham Rolls, Surtees Soc., 1841). The cell of Jarrow gave 20*s.* 4*d.* 'Studentibus Oxonie et Stanford' in 1364; 13*s.* 4*d.* 'in pensione Studencium Oxonie' in 1371; 26*s.* 8*d.* 'Clericis Oxonie' in 1372; and usually 13*s.* 4*d.* annually up to 1410; there is a single payment of 6*s.* 8*d.* in 1455 'in donis datis confratribus ad studium Oxonie transeuntibus.' At Wearmouth the payments commence earlier; 32*s.* was spent 'in curialitate facta sociis Oxonie et alibi infra et extra commorantibus' in 1343; and sums of 6*s.* 8*d.* and 10*s.* occur up to 1380 (Rolls of Jarrow and Wearmouth, Surtees Soc., 1854; see also my list of wardens). The earliest mention of Oxford in the Finchale accounts is in 1357, 'in solucione facta fratribus Oxonie studentibus pro pensione sua' 53*s.* 4*d.*; Master 'Hutred' was paid to go to the general chapter in 1367; a new vestment was given to the Oxford students in 1367; 70*s.* was a usual payment up to 1412; but in 1428 four monks studying at Oxford received only 13*s.* 4*d.* 'ex curialitate,' and there is no entry at all after 1432 (Finchale Rolls, Surtees Soc., 1837). The accounts of the other cells would probably present a similar record; see the entries, mostly of arrears, in G (p. 59).

south of the hall, evidently placed with the gables east and west before the idea of a quadrangle was contemplated, the upper one was the oratory of the small society; and that the chambers first provided were some of those which appear in Loggan's view to the north-west of the old quadrangle [37].

At last the most magnificent of the bishops of Durham, Thomas Hatfield, a statesman and architect of no mean capacity, undeterred by the complete collapse of Archbishop Islip's plan for a college consisting partly of monks and partly of secular students [38], determined to provide adequately for the independent maintenance of the Oxford cell. Towards the end of his long episcopate, c. 1379, he concerted measures with one of the ablest priors, Robert Berington or de Walworth, employing as his agent ('qui vobis viva voce plene referet, et eciam in scriptis ostendet, quid per nos factum fuerit et per vos fieri volumus in premissis') a monk of Durham, John de Berington, probably the prior's brother, 'qui erga nos et consilium nostrum pro Collegio Monachorum et Secularium, quod in profectum et honorem ecclesiae nostrae stabilivimus, diligencias laudabiles apposuit et labores' [39]. Hatfield was at this time living chiefly at his house at Alford (? Old Ford) near London, where he died May 8, 1381, after a lingering illness. William de Chambre's statement about his foundation is certainly incorrect [40]; and, though the quinquepartite covenant between him and the Convent was drawn up from his instructions and sealed in 1380, the design was not fully executed till some years after his death [41]. In the correspondence which has been preserved, Prior Robert states that the Convent, though rather short of money, will support four monks, if the Bishop can provide for four more and eight scholars, and he offers some advice on the subject of investments:

[37] The following entries in Berington's foundation compoti prove the existence of chambers: 1382, In reparacione domorum et clausure Oxonie per manus domini R. Blaklaw supprioris xl^{s}; 1387–9, In petris emptis pro reparacione domorum dicti collegii vj^{s} viij^{d}; and In factura duorum caminorum in diuersis cameris xxx^{s}. The last entry is a sign of the improved prospects of the community.

[38] Canterbury College was founded in 1361–2 for four monks and eight secular scholars; in 1365 Islip ejected the regulars, and five years later his successor, Simon Langham, prevailed on Urban V to abolish the seculars in favour of twelve Canterbury monks (Maxwell Lyte, pp. 177–180).

[39] Letter in Hist. Dun. app. cxxviii. Some letters from the Prior to the Bishop were copied by Twyne (Collect. ii. 32–34) 'from the register of Robert de Lanchester, chancellor and afterwards shrine-keeper of Durham.'

[40] Hist. Dun., p. 138. It is not improved by Mr. Maxwell Lyte, who supposes it to refer to Richard de Bury's efforts (Univ. of Oxford, p. 159).

[41] Printed by Wilkins (Conc. ii. 614–6), and in part by Raine (Hist. Dun., p. 140).

'Huiusmodi appropriacionem his diebus acquirere sive obtinere Romana ecclesia fluctuante tam difficile quam sumptuosum [est] et quasi incredibilem constat rem. Quapropter vestrae preeminenciae supplicamus quod datum est intelligi per certos fideles amicos[42] quod possitis pro mille marcis emere annuos redditus centum marcarum infra civitatem London' plena mortificacionis libertate in forma vadacionis, regia sive papali licencia irrequisita: quorum quidem reddituum impetracio absque laborum difficultate melius securius et facilius expedietur quam appropriacio cuiusvis ecclesie, propter mutacionem et variacionem summi pontificis, qui pro tempore fuerit, et poterit huiusmodi appropriacionem ad libitum revocare pariter et quassare[43].'

However, it would appear that Hatfield's executors eventually paid over a sum of £3,000, which was deposited in an iron chest in the custody of William de Walworth, Mayor (hence the date 1380), and John Philipot, citizen (Mayor 1378) of London, Master Uthred (de Boldon), and John de Berington, 'confratres nostri': and from the investment of this sum it was estimated that an annual revenue of 200 marks would be secured, the Prior and Convent binding themselves under a penalty of £3,000 to maintain the College for ever on the same scale.

The accounts of John de Berington, who became the acting trustee, invested the money, and managed the estates till 1389, are unfortunately incomplete, but the *modus operandi* is clear. The capital was treated as the property of the Convent, which undertook in return to assign to the College sufficient estates to produce the stipulated income. At one time there seems to have been an idea of buying up the alien priory of Burstall in Holderness[44], sold to Kirkstall Abbey in 1396: but first the advowson of Frampton was obtained from John, Lord Nevill of Raby, apparently by exchange, and then Berington paid about £1,400 more to the same for the advowsons of Fishlake, Bossall, and Ruddington[45], and for lands in Durham, Merrington, Sunderland, and elsewhere; the manor of Cotgrave and the advowson of Laxton near Nottingham seem to have been acquired for the same purpose[46]. At last, after a good many exchanges and adjustments, the College received the four advowsons first named (Cotgrave manor taking the

[42] The 'friend in the City' may have been the famous Lord Mayor, William de Walworth, who was nominated in the covenant as one of the four trustees, and was one of Hatfield's executors (Testamenta Eboracensia, p. 122); he was probably related to Prior Robert.

[43] Register of Robert de Lanchester, fol. 43, extracted by Twyne (Collect. ii. 32 b).

[44] A cell of St. Martin de Alceio near Albemarle in Normandy; see Dugdale, Mon. Ang. vol. vi. p. 1019, and Poulson's Holderness, ii. 505.

[45] Rot. Pat. 10 Ric. II, p. i. m. 16; and 7 Hen. IV, p. ii. m. 31 (an Inspeximus), from copies in Trinity College Miscellanea, vol. i.; also Twyne, Coll. xxii, f. 111.

[46] See G, notes 4–6. For the subsequent addition of another appropriated church, see H, note 5. Bossall is on the Derwent, 9 miles NE. of York.

place of Bossall till certain preliminaries had been completed), and 'pensiones' of £4 and £16 from the rectory and vicarage of Northallerton, the income being made up to about £240 by the customary contributions from Durham. A considerable sum was spent out of capital[47] in stocking the estates and in providing necessaries at Oxford, including possibly some additions to the buildings: but far too much was wasted on fees and bribes and travelling expenses in procuring the appropriation of the rectories. The pensions of the rectors in possession, whose interests had to be bought out, hung heavily on the College for many years after, while the value of their benefices was declining. All these arrangements had to be sanctioned by the Archbishop of York and the Bishop of Lincoln, in whose dioceses the parishes lay, were confirmed under the great seal, and then approved by Urban VI in 1387, and subsequently by Boniface IX in 1396 and 1403[48]. Serious expense (£53 6*s.* 8*d.*) was incurred 'in curia Romana pro reformacione ecclesiarum nostrarum' in 1403–4; and over £24 was spent specially 'pro defensione ecclesie de Rodyngton' in two years[49]. It is a pity that the Walworth family did not pursue Prior Robert's original suggestion.

Though Hatfield himself 'morte praeventus propositum minime adimplevit,' his intentions were clearly expressed in the quinquepartite covenant, which was accordingly adopted as the 'ordinatio' or statutes of his College. It has often been described; and the regulations for the religious life and studies do not differ materially from similar codes; the dedication is 'ad honorem sanctissimae Trinitatis[50], beatissimae Virginis, et gloriosissimi confessoris Cuthberti,' and there are to be special prayers for Hatfield and his family, for his old

[47] Some revenues received during the transition appear in the same accounts. Part of the fund was temporarily lent out; e. g. Comp. c. 1387, 'Item debentur de domino Episcopo (*John Fordham*) clvij^{li} vj^{s} viij^{d} pro quibus inuadiantur in custodia Johannis de Beryngton una ymago argentea deaurata, precium c^{li}; quinque espice-plates deauratae, precium xl^{li}; se[x can]delabra argentea, precium xl^{li}; usque ad festum sancti Martini.' The receipt for the image is in Hist. Dun. app. cxl.

[48] Wilkins, Conc. ii. 617–622: but it is a polite fiction on the part of the Popes to say that Richard II endowed the college, since all the benefices were in reality bought from Lord Nevill and his sub-tenants.

[49] The college had to borrow £40 of Bishop Langley for this purpose. Cf. Comp. 1404–5 (Rodyngton), 'Item in solucione facta iuridicis Ebor' et London' pro defensione cause eiusdem ecclesie,' £7 6*s.* 8*d.*; 'et pro expensis factis apud Cowyntre et apud Sanctum Albanum et London' ac apud Poumfrate et versus Byngham pro eadem causa,' £16 10*s.* 0½*d.*; (Oxonie), 'Item in solucione facta magistro Johanni Catryke pro adquisicione 2^{arum} bullarum,' £20 13*s.* 4*d.*; 'Item Thome Rose laboranti London' pro eisdem bullis,' 18*s.* 11*d.*; Comp. 1405–6, 'Item pro exemplificacione carte Regis Ricardi de Ecclesiis Collegii,' 22*s.* 4*d.*; and so on.

[50] Hence perhaps Sir Thomas Pope's dedication of his College 'sanctissimae et individuae Trinitati.'

master, Edward III, 'nuper regis Angliae invictissimi, sub cujus alis a juventute fuerat enutritus,' for Queen Philippa, the Bishops of Durham, &c. The foundation is to consist of eight student monks, chosen by the Chapter of Durham, 'secundum vim et formam in constitutionibus Benedictinis de studentibus ad generalia studia transmittendis provide ordinatam, ut philosophiae et theologiae dumtaxat vacent principaliter et intendant.' One of these is to be selected by the Prior to be Warden; he is to hold a weekly chapter and transmit to Durham the names of the contumacious[51]. There are to be two Bursars, who, with the Warden, are to manage the estates, make all necessary payments for clothes, books, and wages, bring up the accounts at a quarterly audit, and send an annual compotus to Durham. The stipend of a 'socius' is fixed at £10, but a further allowance is to be made towards the cost of taking the degree of B.D. and D.D., if there is a sufficient balance[52].

The special feature, however, of Hatfield's scheme was the inclusion on the foundation of eight secular students in grammar and philosophy at a stipend of five marks, to be selected by the four or five senior monks, four from the city or diocese of Durham, two from the Bishop's lordship of Allertonshire, and two from that in Howdenshire. They were to dine 'in secunda mensa seorsim a monachis cum clerico[53] et aliis servientibus,' to have separate rooms, to attend duly the college chapel and the schools, to be provided with 'tunicis et caputiis bis in anno[54],' and to perform all 'honesta ministeria[55]' for the monks. Scholars might remain in the college for seven years, 'si voluerint et habuerint testimonium satis laudabile,' but the power of removal or expulsion was carefully reserved to the Prior of Durham. They were under no obligation to take vows, but were required to take an oath[56] to honour the

[51] A very contumacious monk was admonished by the Prior in 1467: see the letter, Hist. Dun. app. cclxv. He has frequented 'loca suspecta' till 'vix superest operimentum corporis aut grabati.'

[52] Payments of 40*s*. to 100*s*. were made for the B.D. degree, e.g. to John Burnby 1436, Wm. Seton 1447, Tho. Rowland 1481, Ric. Caley and Hen. Thew 1495. For the D.D. degree Tho. Rome had about £13 in 1411, Wm. Ebchester £10 in 1470, and J. Aukland £10 in 1482; see Nos. 4 and 5 in List of Wardens.

[53] This was the Warden's clerk; cf. Comp. 1424, 'In expensis clerici gardiani versus ecclesias v^s v^d ob. There were then four 'valletti,' the pincerna, cocus, barbitonsor, and carpentarius. In 1432 five are enumerated, the pincerna, cocus, subcocus, barbitonsor, and lotrix.

[54] Generally called the livery, 'liberatura estivalis,' and 'hyemalis.'

[55] The exact definition of these might cause disputes; see J, note 6.

[56] A specimen of a 'recepcio scolaris in Collegium Oxonie,' preserved in a Durham Register, is printed by Raine (Hist. Dun. app. clxxxviii). There is no trace of the oath in the Compotus till 1454 ('Item in datis uni notario pro instrumentis confectis super iuramento duorum scolarium in collegium admissorum, ij^s').

monks and help the Church of Durham to the best of their ability, in whatever rank of life they might be. Unfortunately the Compotus contains only the most general allusions to these secular scholars or 'pueri'; they seem on the whole to have lived quietly with the monks.

The visitatorial power, intended to protect the College from any breach of trust or indifference on the part of the Convent, was assigned by Hatfield to the Bishop of Durham, and was to pass, if he neglected his duty, first to the Bishop of Lincoln and then to the Archbishop of Canterbury. In the draft statutes the Bishop of Carlisle precedes the Bishop of Lincoln in this matter, and the Archbishop does not appear. Other points in which the drafts differ from the final 'ordinatio' are (1) the mention of nine instead of eight 'socii' in all; (2) the use of the term 'pueri' instead of 'scolares seculares'; (3) the fixing of the revenue required as 280 instead of 200 marks.

The College, thus endowed and organised, seems to have had a fair measure of success; its history, if uneventful, is not pervaded by scandals; a constant succession of the younger monks carried back to Durham an amount of education, which must have been one of the chief causes of the respectability and orderliness of the abbey up to the time of its dissolution. The scheme is well described by the unknown author of the 'Rites of Durham' who remembered its working:

'Ther was alwayes vj Novices, which went daly to schoule within the House, for the space of vij yere, and one of the oldest mounckes, that was lernede, was appointed to be there tuter. The sayd novices had no wages, but meite, drinke, & clothe, for that space. The maister or tuteres office was to se that they lacked nothing, as cowles, frocks, stammyne, beddinge, bootes, and socks, and whene they did lack any of thes necessaries the Maister had charge to calle of the Chamberlaynes for such thinges. For they never receyved wages, nor handled any money, in that space, but goynge daly to there bookes within the Cloyster. And yf the maister did see that any of theme weare apte to lernyng, and dyd applie his booke, and had a pregnant wyt withall, then the maister dyd lett the Prior have intellygence. Then, streighteway after, he was sent to Oxforde to schoole, and there dyd lerne to study Devinity.'

Such a system would have been most effective if Henry VIII's plan for a liberal endowment of education from the funds of the monastery had been carried out[57]. The Wardens, of whom the Compoti supply an almost perfect list[58] from 1389

If they had attained years of discretion before their admission, there can have been no strict limit of age. In 1445 Warden Burnby refused to admit a nominee not properly qualified for a Northallerton Scholarship (Obituary Roll, p. xii).

[57] See Stevenson's pamphlet, pp. 11–14.

[58] Though it is strange that the years 1450–3, when Richard Bell took the place of John Burnby, should be missing from the set: perhaps this indicates that Burnby did not really resign, but appointed a deputy.

to 1496, were generally selected from the younger monks, and were men of ability, as appears from the fact that six of them at least were afterwards Priors of Durham, and most of the others held important offices. Richard Bell's ambition took him as far as the Bishopric of Carlisle, and he is said to have aspired even to the Papacy; Rome, Wm. Ebchester, and Burnby were learned men and influential delegates at the Benedictine chapters at Northampton; and others are described as able administrators at Durham. Many names of socii and a few of scholares, if it were worth while, might be catalogued from these accounts; but it is curious that there is no mention of Gilbert Kymer, Duke Humphrey's physician, many of whose acts as Chancellor of the University for the second time (1446–53) are dated from Durham College, where he probably rented a chamber, without being a member of the foundation. The fellows for the time being remained in all essentials monks of Durham, and the College in its corporate capacity took its share as one of the cells in the extraordinary expenses of the parent house. Contributions of 5*s.* 8*d.*, 13*s.* 4*d.*, and 26*s.* 8*d.* were made when the Durham dormitory was being rebuilt in 1398–1400; 2*s.* was subscribed for many years to the fund for the Durham boy-bishop, 'Episcopo Elemosinarie'; 6*s.* 8*d.* was paid out of the balance of 1432–3 'ad fabricam lauacrorum in claustro,' and 13*s.* 4*d.* in 1434–5 'ad facturam maiorum nouorum organorum'; and the horses of the college officials had a special place in the Durham stable [59]. At the same time business was business, and the College had to pay rent to the Chamberlain of Durham for a house belonging to his office, which they used when inspecting their rectory at Frampton [60]. Occasionally a fellow's place was vacated, not by return to Durham, but by death; and then the College gave him a handsome funeral, and distributed alms for the repose of their brother's soul [61].

Unfortunately the estates assigned to the College consisted entirely of appropriated rectories, heavily burdened by the customary diocesan charges, by the pensions of the rectors

[59] The following item also seems to refer to Durham: Comp. 1405, 'Item in communi contribucione, viz. pincerne pro seminibus et viridi succo et aliis computatis in communi contribucione vj^{s}. viij^{d}.'

[60] Comp. 1400, 'Item camerario pro tenemento in villa Sancti Botulfi xviij^{d};' and Comp. 1402, 'Item camerario Dunelmensi pro domibus in Bostane xviij^{d}.'

[61] Comp. 1436, 'Item in elemosina data pro anima domini Thome Forster Confratris xx^{s};' Comp. 1406, 'Et pro distribucione facta pauperibus in exequiis Johannis de Kirkeland xx^{s}; Et pro prandio suo dato pauperibus per xxx^{ta} dies post eius obitum vj^{s} viij^{d};' Comp. 1478, 'Item in elimosina data pauperibus in obitu domini Willelmi Dawell xvij^{s}; Item in expensis funeralium domini Willelmi Dawell tam Oxonie quam eadem (? die) apud yesleppe (*Islip*) xx^{s}.'

who had been bought out, and by the stipends very properly reserved for the vicars; and both the College and the Convent were severely hit by the decline in the profits of agriculture which took place soon after the beginning of the fifteenth century. The balance in cash which John de Berington handed over did not last long, and in 1395–6 we find the College borrowing £5 from an University Chest 'super caucione prioris,' 30*s.* 'de uno pannario Oxoniensi,' £8 from the stipends of the warden and fellows, and other sums up to £24. The settlement of the difficulties which had delayed the acquisition of Bossall gave some relief; and in spite of heavy expenses on the 'reformatio' of the churches (see above), large sums were spent in building between 1405 and 1421. In 1392–3 (see G) near £40 was due from the officers of Durham and the various cells, and though there were some cases where the contributions were unpaid and finally written off, it seems to have been understood that the College was to expect £10 to £13 in cash from the chamberlain, commoner, and shrine-keeper; but after 1412 these payments cease to appear, and the last payment of any importance from a cell was one of £6 17*s.* 2*d.* from Stamford in 1425–6, in which year a donation of £10 'per dominum Dunelmensem' (? Bishop Langley) also occurs. As a consequence of this, some inquiries, the date of which is not stated, were addressed to the Prior by the Bishop as Visitor under Hatfield's statutes, and the Prior in reply alleged Scotch wars, the great floods of 1401, the sterility of the estates, the cost of rebuilding the dormitory, legal expenses, the pensions of the rectors who had inconsiderately lived ten, twelve, and even twenty years, and generally the decrease in revenues. Skirlaw, Langley, and some of the wardens contributed generously to the College; but by 1459 the gross income had sunk to £145, and the convent was forced to procure the appropriation of the church of Brantingham, one of their oldest pieces of patronage[62]. After this things were better, but an annual deficit had reappeared before 1496, when the series of compotus-rolls closes. In Henry VIII's valuation only the net receipts are given: the income was £122 odd; the warden received £12, seven fellows £8 each, and eight scholars 4 marks apiece; 40*s.* was given in alms to the four orders of Friars in Oxford, and 13*s.* 4*d.* to the

[62] From this church there came remarkable payments in 1486, 'Et de denariis prouenientibus donacionum ad tumbam magistri Willelmi Benson xiiij^{li} viij^{s} vj^{d},' and in 1489, 'Et de vj^{li} receptis de pixide magistri Willelmi Benson in Ecclesia de Brantyngham,' and in 1490 £4 from the same source. William Benson, M.A., was first Vicar of Brantingham on the presentation of the College 1459–1479; but why were offerings made at his tomb ten years after his death? And by what right did the college reap the benefit of them?

poor; and after paying the steward £6 there was a balance of about £24 for general expenses.

Among the miscellaneous receipts the most interesting entries are those of sums paid for the use of rooms in the college by persons not on the foundation. These rents were small at first, e.g. 43*s.* in 1389–90, 52*s.* 8*d.* in 1398–9. 70*s.* in 1401, 76*s.* in 1410, 80*s.* in 1413, and the 'pensio j camere Oxonie' for one term was only 3*s.* 4*d.* in 1394–5; but they gradually came to form an important source of income; £7 8*s.* 8*d.* is credited to this source in 1472, and £8 2*s.* in 1473. One of the tenants is mentioned above; the inhabitant of the 'camera Dunkan' (E, note 21) may have been Thomas Duncan, Fellow of Merton in 1404, and physician to the Earl of March[63]. But the most important statements on this subject are to be found in the quarterly rolls. In that for the last quarter of 1394 there are two significant entries under the head of repairs; 'Item pro j banda ferrea pro trabe in bassa camera monachorum Eboracensium vij*d.*,' and 'Item pro duabus crukys (*hooks for hinges*) fenestre camere monachorum Eboracensium ij*d.*' The explanation is found among the receipts in a brief account for the third quarter of 1414:

'Item de xiij^{s} iiij^{d} in plena solucione de pensione camere monachi de Qwytby pro anno preterito.

Item de xx^{s} in plena solucione camere monachorum Eboracensium pro eodem anno.

Item de viij^{s} viij^{d} in parte solucionis camere magistri T. Mosten.'

Unfortunately these are the only entries of the kind, but they make it quite clear that Durham College to some extent served the purpose of a home for the other Benedictine abbeys of the northern province, who had no share in the Gloucester Hall settlement and would naturally prefer renting rooms for their students among friends to letting them share the mixed society of the ordinary halls. It will be seen from a comparison of the list of rooms at the end of E with Loggan's view, that there were rooms to spare. The chambers, besides the perloquitorium and the warden's room over it, were twelve in number, without reckoning the possibilities of accommodation in the buildings to the N.W. of the buttery. If we assume that the rooms of which the situation is not specially described, viz., the right-hand room on the first floor and the middle and right-hand rooms on the ground floor of the northern side of the quadrangle, were the three appropriated to the scholars (pueri), there remain for the

[63] Another Fellow of Merton, Ralph Hamsterley, Master of University College 1509, was a benefactor honoured with a brass plate in the old Chapel.

use of seven monks fifteen beds in nine rooms, the smallest of which was 27 ft. by 18; and it is extremely likely that three to five rooms were let regularly to other abbeys or to independent students who could afford to pay for the comparative quiet and comfort of a well-to-do community settled in the healthiest part of Oxford. The 'low chamber of the monks of York' may be the 'old Bursary.'

A very brief mention must suffice for the building operations of the fifteenth century. The east side of the old quadrangle, which has remained almost untouched, except by the archaic 'restoration' of the library windows on the W. and the addition of Dr. Kettell's 'cocklofts,' is unambitious in detail, but most effective in the simplicity of its general design; the north side seems to have been very similar, and the south front of the chapel contained plain but good perpendicular windows[64]. Aubrey and Wood, who saw it in the seventeenth century, have left notes of inscriptions, paintings, and stained glass, some of which, it can hardly be doubted, is still preserved in the library of Trinity College. It has suffered considerably both from wanton damage and from a 'restoration' in the last century; but still retains the little figures of the 'black monks' kneeling at the feet of their patron saints, and the shields of Hatfield and other benefactors of the house[65]. A large sum (£100 3*s.* 4*d.*) is acknowledged as 'limitata assignata et adquisita ad novum opus Oxonie,' probably from subscriptions, in 1409–10; and £90 10*s.* 2½*d.* was spent in the following year, perhaps on completing the north range. In 1413–4 £35 odd was spent 'in construccione unius muri lapidei cum emendacione basse camere et camini cum empcione meremij.' Next followed the library in 1417–8 (see note 32); a chamber cost £19 1*s.* 10½*d.* in the following year, and another £25 10*s.* 4*d.* in 1420–1. After this only repairs are recorded. In Comp. 1467 there is an item, 'in factura cuiusdam partis muri lapidei in angulo boriali orti versus ostium fratrum Augustinensium xlvij^{s}.' A 'spaciatorium' referred to (if at Oxford) must be a garden walk, as there is no trace of any kind of cloister.

The disappearance of all the accounts for the sixteenth century except the compoti of 1540–1 and 1541–2 leaves us almost without information as to the history of the last fifty

[64] See L and notes; also Comp. 1409, 'Item in expensis factis circa dedicacionem capelle una cum cera pallijs et alijs ornamentis emptis lxv^{s} viij^{d} ob.' Comp. 1414 mentions the dedication of 'altars,' Comp. 1417 that of one altar. Comp. 1460, 'Item in una campana empta pro capella cum locione albarum xiij^{s} vj^{d}.'

[65] The most remarkable figure, almost unique, is that of Thomas Becket; the head has been cracked in three places, but the piece of the sword sticking in the forehead identifies it beyond mistake.

years of the College. In 1540–1 the total revenue was £128 10*s.* 4*d.*, including a small quit-rent from a tenement at Handborough near Woodstock, which we may conjecture served the College as a retreat during the epidemics which now began to infest Oxford. The 'pensiones' or net receipts from the churches appear as in the Valor Ecclesiasticus, and possibly some commutation had taken place; but the stipends of the fellows and scholars had been reduced by about one-fifth. The names of the wardens are derived mainly from external evidences such as the University Registers; but it is difficult to believe that the Thomas Castell who is described as 'gardianus Collegii Dunelmensis' on taking his D. D. degree in 1511 is not the same as Thomas Castell, Warden 1487–94 (in the Compotus) and Prior of Durham to 1519. Eventually on December 31, 1540, the last Prior of Durham, Hugh Whitehead, surrendered all the possessions of his abbey to the Crown, and the estates of the College, the net value of which (£115 4*s.* 4*d.*) almost exactly makes up the odd figures in the great total of £2115 12*s.* 6¼*d.*, were swept in with the rest. But the Prior had made good terms, not only for himself, and the Warden, and several of the Durham monks[66], but for the Cathedral Chapter, which was reconstituted in May 1541, and endowed with practically the whole property of the convent except the estates of its dependencies at Finchale, Jarrow, Wearmouth, Lytham, and Stamford[67]. The grant included—

'Totum illud scitum circuitum ambitum et praecinctum cujusdam nuper Collegii vocati *Duresme College* infra villam Oxon. in com. nostro Oxon. ac totam illam ecclesiam sive capellam, campanile, coemiterium, una cum omnibus domibus aedificiis, pomariis, gardinis, hortis, et solo'—

and the revenues from the six churches and the tenement at Handborough. In the survey taken for the Augmentation Office accurate measurements of the site and buildings are given, with a few descriptive notes[68], which are useful as coming about halfway between the Inventory of 1428 and Loggan's view which was drawn about 1675.

The scheme for a large 'Durham University' College, with

[66] Most of the officers received prebendal stalls on the new foundation: and among them was Thomas Sparke, D.D., a former socius of the college and Prior of Holy Island 1528, who had been consecrated Suffragan Bishop of Berwick in 1537; he was Master of Gretham Hospital 1541 and Rector of Wolsingham 1547, and died in 1572: see Hist. Dun. p. 156.

[67] See the whole deed in Hutchinson's Durham, vol. ii, and some remarks in Surtees, vol. i.

[68] E. g. 'A Fayre Library well desked and well floured, with a Tymber Floure over it, in Length xxvij Fote and in Bredethe xviij Fote.' There were 3,000 trees in the grove, which were valued at £7.

a Provost, Readers in Greek, Hebrew, Divinity with Latin, and Physic, sixty scholars, a schoolmaster and an usher, and twenty divinity students at Oxford and Cambridge, was found far too expensive for Henry VIII's taste, though the principle of devoting a portion of the funds to education was recognized by the foundation of the 'King's School.' But it appears from the Compotus printed below (K), that it is not the case, as is usually stated, that the old College was suppressed by the Crown; but the Dean and Chapter had some idea of continuing to support it on the same scale as before, giving up to it the net revenue of Frampton (£28 6*s.* 8*d.*) and making up the usual income by a cash payment of £100. The senior of the old fellows, George Clyff, was appointed Rector, and appears from incidental remarks in his accounts to have considered the position humorous; and there were to be seven fellows and four scholars receiving respectively 47*s.* 6*d.* and 37*s.* 6*d.* a term as stipends. Such an establishment, if worked by the Chapter in connexion with the school, might have been very serviceable, but it fell through at once, and George Clyff did not even trouble to complete his final Compotus. The estates reverted to the Dean and Chapter, who still present to most of the benefices; but the site and buildings passed again in the surrender to the Crown of March 20, 36 Hen. VIII (1544), and were not regranted. After being occupied as a sort of private hall by Walter Wright, Archdeacon of Oxford and Vice-Chancellor 1547–49, they fell into disrepair, became mere 'canilia lustra' (Wood), and were granted by the Crown to Dr. George Owen in 1553, who sold them to Sir Thomas Pope on Feb. 20, 1554.

HERBERT E. D. BLAKISTON.

TRINITY COLLEGE,
Oct. 1895.

LIST OF THE PRIORS, WARDENS, OR RECTORS OF DURHAM COLLEGE.

MOST of these names and dates are derived from the headings of the compoti. In cases where a change of warden occurs during a gap in the series I have given an approximate date. The information as to the careers of the wardens is drawn from a variety of sources, but chiefly from the publications of the Surtees Society and the works of Antony Wood. Stevens in his Additions to the Monasticon (pp. 341–4) was the first to print a list of eight wardens, and Warton (Life of Sir T. Pope, p. 300) added a few details and the name of Robert Ebchester, all from Wood's papers. It will be noticed that nearly all the wardens, like their fellow monks, adopted surnames from their native places (mostly places in the Palatinate or connected with the see or convent of Durham), which are found sometimes with but generally without a preposition.

1. Gilbert Elwyk, S.T.P., c. 1316.

Voted as Prior Oxoniae at the election of Henry Stamford in 1316, and as Prior of Holy Island (1328–1350) at the election of Robert de Graystanes in 1333; died 1363.

2. John de Beverlaco (Beverley), S.T.P., c. 1333.

Voted as Prior Oxoniae at the election of Robert de Graystanes in 1333; Master of Jarrow in 1340; Prior of Finchale in 1345; Prior of Holy Island; took a leading part in the Benedictine chapters at Northampton in 1338 and 1343.

3. R—— de C——, after 1340.

Possibly Robert de Claxton, Prior of Coldingham c. 1374, if the document quoted in A, par. 5, lies between pars. 4 and 6 in date: or perhaps Robert Crayk, see A, note 14.

[4. ? Uthred de Boldon, S.T.P., c. 1360.

Appears to have been very closely connected with the College even before 1380, when he was named as one of Hatfield's trustees; frequently mentioned in John de Berington's accounts. He received 20*s.* in 1359 from Jarrow 'ad incepcionem suam,' and such a payment is seldom made except to the Prior or Warden. In 1360 and 1362 he had 6*s.* 8*d.* 'ex curialitate' from Wearmouth. He occurs as Prior of Finchale 1367–72 and in 1375 and 1390. Ambassador from Edward III to the Pope in 1374. He was a copious writer, and is considered by Tanner to have been one of the most learned of the Benedictines at Oxford. (Other details inTanner, Bibliotheca Britannico-Hibernica, p. 743.)

[5. ? John Aclyff (de Acley), c. 1380.

Was closely connected with the College about the time of its endowment, received a donation of 20*s.* from Wearmouth, probably for incepting

as S.T.P., in 1377. In Berington's accounts he is allowed 33*s.* 4*d.* for a clerk; no similar payment occurs except in favour of a warden. He was Master of Wearmouth 1387, Prior of Coldingham 1391, and Sub-prior of Durham in 1394.

6. Robert Blaklaw, c. 1389–1404.

Appears to have been appointed first warden of the new foundation shortly before John de Berington ceased to administer the endowment.

7. William Appylby, 1404–1409.

Librarian of Durham, 1391; Almoner, 1399; buried in the College chapel, where a brass plate with inscription remained in the seventeenth century: see L, note 1.

8. Thomas Rome, S.T.P., 1409–1419.

Occurs as Bursar of the College 1391–2 and 1394–6; Sacrist of Durham in 1406. Thomas Rome seems to be described as Prior of Pershore in the acts of the chapter at Northampton in 1423, as printed by Reyner (Apost. Bened., App., pt. iii. p. 175); but Wilkins (Conc. iii. p. 423) more correctly makes it clear that they were two separate persons.

9. William Ebchester, S.T.P., 1419–1428.

Born 1385; Bursar 1410–13 and 1418–9. 'Will'mus Ebchester huius custos Collegii Dominus vobiscū' is in the upper lights of a window in the College. He was Prior of Holy Island 1430–37, Sacrist of Durham in 1438, and Prior of Durham 1446–56. He represented Durham at all the triennial Benedictine chapters at Northampton between 1426–41. Buried in Durham Cathedral. (See notice in Surtees Society edition (1856) of his Obituary Roll, pp. vii, viii.)

10. Richard Barton, S.T.B., 1428–1431.

Bursar 1390–1, 1413–6, 1420–24; Feretrarius at Durham in 1438; Prior of St. Leonard's, Stamford, in 1440 and in 1456 (see letter in Jarrow and Wearmouth Rolls, p. 236).

11. John Mody (Moody), S.T.P., 1431–c. 1440.

Bursar 1422–5; Master of Jarrow 1446–52.

12. John Burnby, S.T.P., 1442–1450, and 1453–6.

Bursar 1425–35; Sub-prior of Durham; represented Durham at Northampton in 1444, 1447, and 1450; one of the commissaries of the Chancellor of the University of Oxford in 1447, 1448, and 1449; resigned the wardenship in order to act as visitor of Benedictine monasteries in the north; reappointed Warden Sept. 30, 1453; Prior of Durham 1456–64; died Oct. 17, 1464; buried in the Cathedral. (See particulars in Surtees Society edition (1856) of his Obituary Roll, pp. xi–xvi, and App. ix.)

13. Richard Bell, S.T.B., 1450–1453.

Born 1410; Bursar 1435–c. 1440; Prior of Holy Trinity, York, 1441; not found as Warden in College Compotus[1]; Sub-prior of Durham in 1456; Prior of Finchale 1457–64; Bishop of Carlisle 1478–96; buried in the Choir of Carlisle Cathedral. (Full account in Finchale Priory Rolls, Surt. Soc. 1837, pp. xxviii–xxxi.)

14. Thomas Caly, S.T.B., 1457–c. 1463.

Bursar 1445–54.

[1] The compoti are missing between 1450 and 1453.

15. Robert Ebchester, S.T.P., c. 1464–c. 1475.

Prior of Durham 1478–84; buried in the Cathedral.

16. William Law, S.T.B., c. 1478–c. 1481.

Bursar 1464–72.

17. John Aukland, S.T.P., c. 1481–1484.

Bursar 1459–64; Master of Wearmouth 1466–70; Prior of Durham 1484–94; buried in the Cathedral.

18. Thomas Rowland, S.T.B., 1484–1487.

Bursar c. 1478–c. 1482.

19. Thomas Castell, S.T.P., 1487–1494.

Bursar 1484–5; Prior of Durham 1494–1519; rebuilt the East gate of the Abbey, St. Helen's Chapel, &c.; buried in the Cathedral.

20. William Cawthorne, S.T.P., 1494–c. 1501.

Bursar 1484–5; Prior of Holy Island in 1501; Prior of Finchale 1506–c. 1520.

21. Thomas Swalwell, S.T.P., c. 1501.

Took his D.D. degree in 1501 as Gardianus of Durham College (Wood, Fasti 7); Almoner at Durham in 1515.

22. ? Thomas Castell, S.T.P., c. 1511.

One of this name took the D.D. degree in 1511 as Gardianus of Durham College. This may be the late warden; but Wood (who did not know however that Prior Castell was once Warden of the College) thinks that there were two Durham monks of the same name (Fasti 30, 34, 38).

23. Hugh Whitehead, S.T.P., 1512–c. 1519.

Commissary of the Chancellor of the University in 1514; last Prior of Durham 1519–40; first Dean of Durham 1541–48; built the Prior's Hall at Pittington; died in London Nov. 1551, and was buried in the Minories Church near the Tower (Wood, Fasti 38, and note).

24. Edward Hyndmer (Henmarsh)[2], S.T.P., c. 1527–1541.

First prebendary of the first stall in the new foundation of Durham Cathedral; died 1543.

25. George Clyff, S.T.B., 1541–1542.

Senior Fellow in 1540; third prebendary of the twelfth stall at Durham, 1558; Vicar of Billingham 1560–5 and 1584–95; Rector of Brancepeth 1571–84; died 1595 (Hutchinson's Durham, ii. 214).

[2] Another Edward Hyndmer, or Hindmarsh, a native of Westmoreland, was Scholar of Trinity College, 1561, and Fellow 1568–76. From a legacy left by him in 1608 the old library was refitted with bookcases (still existing) in 1625. Several other Durham names, e.g. that of my kinsman, Marmaduke Blakiston (Apr., 1579), occur in the early lists of Trinity Commoners.

CHRONOLOGICAL SUMMARY.

1286. First purchase of land at Oxford.
1290. Richard de Hoton succeeds Hugh de Derlington as Prior of Durham.
1315. First Inventory and List of Books sent to Oxford.
1337. Constitutions of Benedict XII.
1338. Edward III's Charter to Bishop Richard de Bury.
1380. Bishop Hatfield's Endowment and 'Ordinatio.'
1389. First compotus of Hatfield's foundation.
1405. Building of the College Chapel commenced.
1417. Building of the College Library commenced.
1540. Surrender of the Convent of Durham and its Cells.
1541. Foundation of the Cathedral Chapter of Durham.
1553. Site of the College granted by the Crown to Dr. George Owen.

DESCRIPTION OF PLATES OF SEALS.

I (*Frontispiece*). Oxford Seals from Durham College Rolls :—

1. Parish of St. Mary Magdalen, 1326; legend, **S' CONMVN' PO-CHIANO' MAG'.**
2. Hospital of St. John without the East Gate, 1291; legend, **S' FRATRVM OSPITALIT' S' IOHANNIS . . . OXEN'.**
3. Godstow Abbey, 1286; legend, **SIGILLVM SCE MARIE ET SCI IOHIS BAPTISTE GODESTOENS' ECCLIE**; St. John Baptist presents a lamb (**ECCE AGNVS DEI**) to the Virgin, the foundress, **EDIVA**, kneels below.
4. Priory of St. Frideswide, 1291; legend, **SIGILLVM [ECCLESI]E SA[NCTE] FRIDESWIDE OXENEFORDIE.**
5. Oseney Abbey, 1326; legend, **Sigillvm abbatis et conuentus ecclesie sancte marie de oseney.**
6. Rural Dean of Oxford, 1326; legend, **SIGILL' DECANI OXON'E.**

II (*facing p.* 26). Seals relating to Hatfield's endowment :—

1. Episcopal seal[1] of John Fordham, Bishop of Durham, 1386; legend, **Sigill' · iohannis · dei · gra' · episcopi · dunolmensis.**
2. Privy seal[2] of Thomas Hatfield, Bishop of Durham, 1380; legend, **Secretu : thome : dei : gracia : epi : dunolm :**
3. Counterseal[2] of the convent of Durham, 1380; legend, **CAPVT SANCTI OSWALDI REGIS.**
3. Common seal[3] of Durham College, Oxford, 1438; legend, **Sigillum com . . colleg' monacho~ dunelm' oxon'.**

[1] Appended to the licence quoted in A, § 8; see p. 31.
[2] Appended to the covenant between Hatfield and the Convent; see p. 12.
[3] A unique specimen appended to a letter from Warden Mody replying to the citation to attend the election of a bishop on the death of Thomas Langley. It seems to represent the Virgin and Child between St. Cuthbert and St. Benedict, who presents a student-monk.

JOHN FORDHAM
BISHOP OF DURHAM

THOMAS HATFIELD
BISHOP OF DURHAM

CHAPTER OF DURHAM

DURHAM COLLEGE

SEALS CONNECTED WITH BISHOP HATFIELD'S FOUNDATION

A.

Responsiones Contra Priorem Studentium, 1422.

(This document appears to be one of those collections which the energetic John Wessyngton or Washington, Bursar of the College 1398–1403, and Prior of Durham 1416–1446, 'ad perpetuam tutelam et defensionem jurium libertatum et possessionum ecclesiae Dunelmensis, adversus malicias et machinaciones ipsam molencium impugnare, non sine labore et studio compilavit, et per Robertum Westmorland scribi fecit' (*Hist. Dunelm. Scr. Tres*, app. ccxxviii). It may even be the actual roll by which he proved 'quod Prior Studencium non habet interesse in Collegio nostro Oxoniensi, ea racione quod prius erat Prior in dicto loco nostro quam erat creatus aliquis Prior Studencium.' It contains some quotations of importance; and is also valuable as showing that early in the fifteenth century the Oxford College was regarded as an institution of undoubted antiquity. The citations from the Digest and Decretals which are paraded in the concluding paragraphs, are so little to the point, that it has been thought sufficient to expand the cramped references which are printed in the text as they stand in the MS. This roll was at one time sewn on to the accounts of John Berington, the acting trustee of Bishop Hatfield for the endowment of the College, and is docketed 'e locello 1°.' It is well written and legible, and measures 1 ft. 7 in. by 11 in. In this transcript stops have been freely inserted for the sake of clearness, and for the same reason the interchange of *u* with *v* and *i* with *j* has been almost entirely ignored.)

1. Title and Date.

INFRASCRIPTA erant notata pro responsione facienda Priori Studencium[1] clamanti Jurisdiccionem in Collegio Monachorum Dunelmensium Oxonie Anno Gracie millesimo quadringentesimo vicesimo secundo[2].

2. Extract from the Constitutions of Benedict XII, 1337.

Memorandum quod Papa Benedictus XII^us^ circa annum gracie millesimum ccc^m^xxxvij^mum^ edidit certa statuta et constituciones super reformacionem ordinis nigrorum monachorum. Inter que statuta continetur talis clausula, capitulo octavo[3], de modo conservandi studencium monachorum: 'Volentes eciam providere ut dictis scolaribus in eisdem studiis morantibus et eciam moraturis (eo quod absunt ab eorum cenobiis) regularis non desit salubre[4] gubernaculum discipline, ordinamus et volumus quod capitulis provinciarum, in quibus erunt

hujusmodi studia, presidentes unum Abbatem vel Priorem ipsius ordinis seu religionis cujuslibet, ipsorum studiorum vicinum, et quem[5] quociens eis placuerit ponere valeant et mutare, ordinent et assignent. Qui Abbas vel Prior monachis studentibus unum inibi monachorum priorem studencium deputet per unum totum annum duraturum; quem quidem Priorem dicti eciam presidentes mutare valeant quociens videbitur expedire; quique potens in opere ac sermone, per direccionem verbi et ducatum exempli eosdem monachos studentes tractando, quociens opus fuerit et sibi[6] videbitur expedire, convocet ad locum aliquem competentem illisque quo ad regularem presideat disciplinam; et potestatem habeat illos corrigendi puniendi et absolvendi et cum eisdem dispensandi, quamdiu in ipsis studiis moram traxerint, ab omnibus a quibus et super quibus et prout possit Abbas vel alius prelatus eorum proprius in Monasterio vel alio loco unde cenobite seu claustrales existunt; ipsos informandi et instruendi ac tenendi sub regularibus disciplinis et illos eciam cohercendi ne vagentur vel actibus seu operibus vacent illicitis, sed studeant et proficiant sicut decet, vivantque laudabiliter et honeste.'

3 Durham Hall at Oxford was founded by Prior Hugh (de Derlington); Gilbert Elwyk was Prior there in 1316.

Per dictam constitucionem vendicat Prior studencium Nigrorum Monachorum Oxonie Jurisdiccionem super monachos collegii Dunelmensis in Oxonia. Contra quem se opponit Prior sive Custos dicti Collegii et allegat in contrarium, quod diu ante edicionem dicte Constitucionis Benedictine et dotacionem prefati Collegii factam per venerabilem patrem dominum Thomam Hatfeld, ymmo a tempore cuius contrarii memoria homini non existit, dicti monachi Dunelmenses habuerunt ibidem unum mansum proprium, in quo communiter degebant octo[7] monachi Dunelmenses, quem numerum statuit eo servandum quidam Hugo Prior Dunelmensis qui fuit circa annum domini M^lCCLVIJ, quandoque pauciores, causante guerra Scottorum[8], sed semper ad minus quinque vel quatuor, ut patet per antiqua munimenta ecclesie Dunelmensis, quibus semper prefuit unus Prior sive Custos per Priorem Dunelmensem prefectus et creatus qui solus et insolidum immediate sub dicto Priore Dunelmensi in ipsis monachis omne habuit excercicium regularis discipline et pro tali fuerat publice habitus tentus et vocitatus; ut patet in eleccionibus factis in Ecclesia Dunelmensi et in aliis actibus solempnibus eiusdem ecclesie, in quibus nomina Priorum et Custodum Cellarum ab eadem ecclesia dependencium exprimuntur, ut est moris. Unde in eleccione de Henrico Stamford[9] facta anno domini millesimo ccc sextodecimo inter ceteros Priores Cellarum recitatur Gilbertus Elwyk Prior Oxonie[10].

4. Extract from the Somerville Statutes of

Iterum in appropriacione ecclesie de Mikylbenton facta Scolaribus Aule de Balliolo anno domini M^mo^CCCXL continetur subscripta clausula[11]: 'Statuo et ordino et ad premissa adicio quod Prior sive Custos mona-

chorum Dunelmensium Oxonie studencium, per Priorem Dunelmensem prefectus, collega sit in omnibus Cancellario predicto vel ejus commissario, tam in admissione quam confirmacione electi in magistrum dicte domus de Balliolo et prestacione juramenti ac amocione eiusdem magistri in casu quo fuerit amovendus, de quibus supra fit mencio, necnon et illorum quos contingit eligi ad insistendum theologice facultati. Ipseque Prior seu Custos cum dicto Cancellario vel eius commissario excerceat omnia que circa dictos electos fuerint excercenda. Sit autem idem Prior seu Custos unus [12] cum magistris extrinsecis, quibus dicti sex Scolares (vel plures cum bona excreverint) presentari debent cum eligantur; plenamque potestatem cum aliis magistris habeat ad eosdem Scolares examinandos et admittendos vel eciam repellendos et ad omnia alia excercenda circa eosdem, que circa alios scolares in eadem aula existentes per dictos magistros extrinsecos excerceri consueverunt tempore retroacto. Volo insuper statuo et *ordino* dispono quod Episcopi Dunelmenses qui pro tempore fuerint prefatos magistrum et scolares ad denunciacionem dicti Prioris seu Custodis monachorum Dunelmensium ad observanciam premissorum, quo ad eleccionem sex Scolarium et Capellani, ratione redituum per me collatorum ad presens, necnon quoad numerum studencium in casu excrescencie redituum eorundem cum acciderint (ut premittitur) ampliandum, ac quo ad omnia alia et singula superius expressata, possint compellere viis et modis canonicis prout sibi magis videbitur expedire.'

Balliol Hall, 1340.

N.[13] Prior ecclesie Dunelmensis Dilecto filio R. de C.[14] salutem in omnium salvatore. De vestre circumspeccionis industria plenam in domino fiduciam amplectentes, vos in Priorem domus nostre Oxonie et confratrum nostrorum ibidem studencium tenore presencium preficimus et creamus, committentes vobis vices nostras et plenariam potestatem disponendi et ordinandi de omnibus quo ad dictam domum pertinent, tam intra quam extra, cum consilio et consensu fratrum eorundem. Insuper et ad audiendas ipsorum confessiones ipsosque absolvendos, iniungendas eisdem pro modo culpe penitentias salutares, necnon ad eligendum vobis unum de confratribus supradictis in confessorem qui vestram confessionem audiat vosque absolvat et imponat sicut expedit penitentiam competentem [15]. Volumus insuper et ad id vobis concedimus potestatem, ut cum venerando viro Cancellario Oxonie vel ipsius commissario Collega sitis et socius tam in admissione quam confirmacione electi in magistrum domus de Balliolo ac prestacione juramenti ac amocione eiusdem in casu quo fuerit amovendus; necnon et eleccioni illorum scolarium quos continget ad eandem aulam eligi ad insistendum theologice facultati; ac ulterius ad omnia facienda gerenda et excercenda una cum dicto Cancellario

5. A Prior of Durham commissions a Prior of the Oxford Hall to hear confessions.

ipsiusve commissario que per Priorem domus nostre Oxonie in ordinacione generosi viri domini Philippi de Sumervill excerceri et fieri statuuntur. In cuius rei &c.

6. Licence from Edward III to appropriate to Durham Hall the Church of Appilby, Leics., 1362.

Edwardus dei gracia Rex Anglie Dominus Hibernie et Acquitanie Omnibus ad quos presentes littere pervenerint Salutem: Sciatis quod de gracia nostra speciali concessimus et licenciam dedimus pro nobis et heredibus nostris, quantum in nobis est, Dilectis nobis in Christo Priori et Conventui Dunelmensi, quod ipsi Ecclesiam de Appilby in Comitatu Leycestrie, que est de patronatu Prioris celle ipsorum Prioris et Conventus de Lytham in Comitatu Lancastrie, appropriare et eam sic appropriatam in proprios usus tenere possint sibi et successoribus suis, ad inueniendam inde sustentacionem commonachis ipsorum Prioris et Conventus Dunelmensis Oxonie studentibus, quorum studencium Prior capellanus noster nominetur, qui pro anima nostra cum ab hac luce subtracti fuerimus celebret juxta formam scripti predictorum Prioris et Conventus Dunelmensis nobis inde facti, in perpetuum sine ocurcione vel impedimento nostri vel heredum nostrorum, Justiciarii Escaetorum, vicecomitum aut aliorum ballivorum seu ministrorum nostrorum quorumcunque: statuto de terris et tenementis ad manum mortuam non ponendis edito non obstante. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium decimo octavo die Julii, anno regni nostri tricesimo sexto [16].

7. Bull of Innocent VI to the same effect, 1358.

Innocentius Episcopus servus servorum dei Dilectis filiis Scolaribus domus Dunelmensis in Universitate Oxoniensi Lyncolniensis dioceseos constitute salutem et Apostolicam benediccionem. Illis solet Apostolica benignitas se reddere liberalem qui ad fores sapiencie cum sedulitate invigilant et, ut introeant in thesauros illius, diligenti studio insistunt scolasticis disciplinis. Porrecta siquidem nobis pro parte vestra peticio continebat quod redditus domus vestre adeo sunt tenues et exiles quod ex eis vacando scolasticis excerciciis non potestis congrue sustentari; propter quod nobis extitit humiliter supplicacio ut vobis super hoc de oportuno remedio providere de benignitate Apostolica dignaremus. Nos igitur vestris necessitatibus pio compacientes affectu, parochialem ecclesiam de Appylby Lyncolniensis dioceseos, cuiusque redditus et proventus annui viginti librarum sterlingarum secundum taxacionem decime valorem annuum non excedunt, ad patronatum Prioris prioratus de Lythum Eboracensis dioceseos spectantem, de eiusdem Prioris assensu nobis super hoc humiliter supplicantis, mense vestre et successorum vestrorum studencium in domo predicta auctoritate Apostolica ex nunc incorporamus in perpetuum et unimus. Itaque cedente vel decedente ipsius ecclesie Rectore vel ipso eam quomodolibet dimittente, liceat vobis vel successoribus vestris antedictis possessionem corporalem eiusdem ecclesie propria

auctoritate apprehendere, ac fructus redditus et proventus eiusdem in proprios usus convertere aceciam retinere: reservata tamen de ipsius ecclesie fructibus et proventibus pro vicario perpetuo inibi servituro, qui curam animarum ipsius ecclesie habeat gerere, jura episcopalia solvere, et alia incumbencia onera supportare, congrua porcione, de qua idem Vicarius valeat congrue sustentari. Nos etenim irritum decrevimus et inane si secus a quoquam quavis auctoritate scienter vel ignoranter contigerit attemptari. Nulli ergo omnino homini liceat hanc paginam nostre concessionis et voluntatis infringere vel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit, indignacionem omnipotentis dei ac beatorum Petri et Pauli apostolorum eius se noverit incursurum. Data Avinione die vj Idus Julii, Pontificatus nostri anno sexto.

8. John Fordham, Bishop of Durham, 1381–1389, inspects a Bull of Urban VI, and licenses Hatfield's executors to erect Durham College.

Universis sancte matris ecclesie filiis ad quos presentes littere pervenerint, Johannes[17] permissione divina Dunelmensis Episcopus, delegatus sive executor unicus ad infrascripta sub forma infrascripta a sede Apostolica specialiter deputatus, Salutem graciam et benedicionem, ac litteris Apostolicis firmiter obedire, necnon infrascriptis fidem indubiam adhibere. Litteras sanctissimi in Christo patris et domini nostri domini Urbani divina providencia pape Sexti cum cordula canapis more Romane Curie bullatas sanas et integras ac omni vicio et suspicione carentes, nobis pro parte venerabilium virorum ac dilectorum in Christo filiorum Prioris et Capituli Ecclesie nostre Cathedralis Dunelmensis presentatas, nos noveritis recepisse, sub eo qui sequitur verborum tenore. 'URBANUS Episcopus servus servorum etc.'[18] Post quarum quidem litterarum Apostolicarum recepcionem fuimus per partem dictorum Prioris et Capituli sepius congrue requisiti ut ad execucionem dictarum litterarum Apostolicarum, ante omnia ad fundacionem institucionem et construccionem Collegii infrascripti juxta ipsarum litterarum exigenciam et tenorem procedere ipsumque Collegium fundare instituere et construere curaremus. Nos igitur dictas litteras Apostolicas volentes exequi, ut tenemur, supplicacionibusque dictorum Prioris et Capituli ecclesie nostre Dunelmensis specialiter inclinati, ad exaltacionem fidei orthodoxe et divini cultus augmentum et pro incremento studii theologice facultatis, Collegium perpetuum pro sexdecim personis, quarum octo monachi predicte ecclesie nostre Dunelmensis per Priorem et Capitulum dicte ecclesie in ipso Collegio ponendi et subrogandi seu substituendi et octo alie persone clerici seculares, quos ipsi Prior et Capitulum ducerent eciam eligendos, existerent in villa Oxonie predicta Lyncolniensis dioceseos, in qua viget studium generale (in Loco sive Atrio videlicet dictorum Prioris et Capituli quem monachi dicte ecclesie nostre Dunelmensis ab antiquo inhabitabant et inhabitant in presenti), Auctoritate Apostolica

nobis in hac parte commissa fundamus instituimus aceciam ordinamus: Qui quidem monachi et alii clerici seculares inibi in sacre theologie et arcium facultatibus studere et morari debent, dumtaxat juxta vim formam effectum et exigenciam ordinacionum et statutorum per dictos Priorem et Capitulum aliumve Judicem competentem in hac parte imposterum edendorum.

9. Inferences from the above evidence.

(*a*) Intention of the Pope in establishing the Prior Studentium.

Ex evidenciis suprascriptis patet quod (sicut Prior sive Custos Collegii Dunelmensis allegat) a tempore cuius contrarii memoria homini non existit et ante edicionem dicte Constitucionis Benedictine fuit unus Prior seu Custos per Priorem Dunelmensem deputatus per quem et sub quo monachi dicti Collegii salubriter et regulariter regebantur. Et sic non videtur papa contra dictos monachos Dunelmenses aliquid novum instatuere nec eos per contenta in dicto viij° capitulo coartare. Et hoc eciam aliis mediis suadetur. Nam in execucione seu explecione legis seu constitutionis papalis nedum verba sed pocius mens et intellectus eorundem inspicitur et servatur, ut impleatur scilicet finis quem legislator intendit; FF de legibus .l. scire [19]. Et extra de privilegiis quinto [20]. Sed de mente dicti domini Pape fuit ne hujusmodi studentibus in aulis et hospiciis spersim ad libitum disgregatis deesset disciplina regularis, ut liquet ex textu. Sed cum monachi ecclesie Dunelmensis in dicto collegio commorantes in tempore edicionis dicte constitucionis et ante et post fuerunt continue sub observancia regulari Prioris seu Custodis dicti Collegii per Priorem Dunelmensem prefecti et creati, ut patet in antiquis munimentis et scripturis superius recitatis, Ergo predicta constitucio ad prefatos monachos Dunelmensis Collegii non est extensiva; argumento .l. FF de Judiciis .l. cum pretor [21]. Et extra de presumpcionibus nonne [22], cum similibus.

(*b*) Previously existing arrangements are not thereby abrogated.

Item constitucio papalis non tollit consuetudinem vel statuta racionabilia que in facto consistunt et que papa verisimiliter poterit ignorare; ut extra de consuetudine .ca°. fi.[23] etc.; ti°. licet Romanus libro vj° [24]; et in prologo dictarum constitucionum [25] ubi dicitur, 'Per edicionem nempe statutorum et ordinacionum predictorum non intendimus aliis juribus institutis, quatenus eisdem statutis et ordinacionibus expresse non obviant, aliquatenus derogare, sed illa pocius approbare'; et ad idem facit quarto ca°. De studentibus ad generalia studia mittendis, post principium [26]. Sed monachi Ecclesie Dunelmensis in dicto Collegio studentes a tempore et per tempus cuius contrarii memoria homini non existit fuerunt in usu more et consuetudine gubernari in regulari disciplina per proprium Priorem seu Custodem et statuta propria illius Collegii.

Ergo Papa non videtur dicte consuetudini per suam constitutionem in hoc aliqualiter derogare, argumento premissorum, maxime cum dicta consuetudo sit racionabilis et prescripta et non contraveniat

statuto sed pocius conveniat menti et intellectui statuentis, ut notatur in dicto ca°. fi.[27] p. b̄. (*sic*).

Item quociens papa novum quid statuit, ita solet futuris formam imponere, ut dispendiis preterita non commendet; ex de constitucionibus cap° rem que[28]; sed si dicti monachi essent sub regimine Prioris studencium, causaretur eis magnum dispendium et dissolucio religionis, cum non tam stricte et religiose poterunt gubernari per Priorem foraneum et absentem sicut per proprium domesticum et presentem, argumento notatorum; extra de clericis non residentibus .ca°. quia nonnulli[29].

(*c*) Those arrangements convenient in themselves, and

Item cessante causa cessabit effectus; de Appell cum cessante[30], cum similibus. Sed causa hujusmodi Constitucionis fuit ne monachis studentibus deesset gubernaculum regularis discipline, ut patet in dicto capitulo viij°; quod non defuit nec deest dictis monachis per proprium Custodem gubernatis, ut liquet: ergo quoad hoc in eis cessat dicta constitucio.

(*d*) sufficient to secure the object of the Constitutions.

Et licet ex premissis liqueat manifeste quod monachi Collegii Dunelmensis in Oxonia immunes sint et liberi ab obediencia et Jurisdicione Prioris Studencium in Universitate Oxoniensi: ipsi tamen tamquam unitatis et pacis zelatores ad ampliorem amorem inter confratres et commonachos ferventius excitandum et imposterum continuandum, aceciam quia dictus Prior studencium ut communiter est procurator ordinis, in hiisque judicium et eventum tangunt monachorum in eadem universitate studencium, mera et spontanea voluntate sua, nullo juris processu nulla compulsione judicii coacti, ad annuam pensionem dicti Prioris cum aliis commonachis uniformiter conferunt et contribuere voluerunt[31].

10. Durham College contributes voluntarily to the salary of the Prior Studentium.

(*Marks of sewing at beginning and end.*)

[1] Thomas Ledbury of Gloucester Hall was an active Prior Studentium at the Northampton Chapter in 1423; Wm. Ebchester was Warden 1419–28.

[2] There may have been litigation about this time: cf. Comp. 1422, Item in datis magistro Willelmo Brunyng pro laboribus suis et expensis in Curia Romana liij^{s} iiij^{d}.

[3] Wilkins, Conc. II. 598 a; the same passage is copied with slight variations in the Augustinian constitutions of 1339 (ibid. 638 b).

[4] MS. *celebre*. [5] MS. *qui*.

[6] Wilkins reads *ubi*.

[7] The number 8 is probably a mere guess; see Introduction, p. 8.

[8] The Scotch wars are alleged by the Prior and Convent, in their Answers to the Bishop, c. 1405, as the principal cause of their failure to support the College properly. Besides serious damage to the cells of Coldingham and Holy Island, 'per guarras praedictas consumpte et

combuste fuerunt multe domus villule et edificia infra Northumbriam saltem ultra aquam de Tyna versus Scociam et precipue domus villule et edificia infra parochias ecclesiarum suarum predictarum de Norham Elyngham et Edlyngham et de Bedlyngton situata, et earundem parochiani una cum eorum bonis ac eciam tenementis ipsorum Prioris et Conventus infra Episcopatum Dunelmensem abducti in Scociam captiui et nimis grauiter redempti, parochieque dictarum ecclesiarum cum terris earundem arabilibus quasi penitus inhabitabiles quattuor annis proxime praeteritis deseruntur in parte magna.'

[9] On the death of Bishop Richard Kellaw, the monks obtained a licence, and in spite of pressure from many influential nobles elected the venerable Henry Stamford, Prior of Finchale: but John XXII set aside the election and collated to the see in 1317 Queen Isabella's cousin, Lewis de Beaumont (Hist. Dunelm. pp. 98–100).

[10] See list of Wardens, and the Addenda, M.

[11] Statutes of Balliol College (ed. 1853), p. xvii. This extraordinary arrangement was probably intended to safeguard the interests of the northern province in the Somerville foundation at Balliol Hall.

[12] This is a better reading than *sic* . . . *una* of the Balliol Statutes.

[13] This initial letter appears to be an N, which must stand simply for 'nomen,' as there was no Prior of Durham whose name began with N. This commission is after 1340 and probably before 1360; John Fossor was Prior of Durham 1342–1374, Robert Berington de Walworth 1374–1391, and John Hemmingburgh 1391–1416.

[14] The initials R. C. hardly occur among the extant names of the monks of Durham about this period. Robert de Claxton, Prior of Coldingham 1374, must have been a man of some importance; and Robert Crayk, who was one of the senior monks in 1396 (Hist. Dun. p. clxxix), had some early connexion with the college, if it was he who had given the vestment before 1428; but see E, note 2.

[15] A similar commission was issued to two fellows, Thomas Forster and John Burnby, in the vacancy of the Wardenship, Oct. 7, 1431 (Hist. Dun. app. cxcvi).

[16] Appleby is a village in Leicestershire and Derbyshire, five miles S.W. of Ashby-de-la-Zouch; the advowson was given by Richard Fitz-Roger, temp. Ric. I, to the cell of Lytham, which was still possessed of a charge on the benefice at the Dissolution. It was probably selected from its comparative nearness to Oxford, as Frampton, Rodington, &c., were by Berington; but there is no evidence that this appropriation was ever effected.

[17] John Fordham succeeded Hatfield in 1381, and was translated to Ely in 1389. This licence, reciting a Bull of Urban VI, enables the Prior and Convent and Hatfield's trustees to endow Durham College.

[18] Possibly the Bull of 1387 authorising the appropriation of the churches of Frampton, Bossall, Rodington, and Fishlake, printed by Wilkins (Conc. II. 617). The following items occur in one of Berington's rolls: 'In uno pari fiolarum de argento deauratarum empto ad dandum domino Johanni Bacon custodi signeti domini Regis tempore sigillacionis triginta et octo literarum missarum per dominum Regem

Pape cardinalibus et aliis pro appropriacione certarum Ecclesiarum ecclesie Dunelmensi xxxiij^{s} iiij^{d}. In expensis factis Willelmo de Lomly in recessu suo versus curiam Romanam pro negociis nostris, expensis suis versus Basill xxvj^{s} viij^{d}. Item eidem in precio decem florenorum sibi liberatorum apud Colon per Lumbardos xxx^{s} x^{d},' ten florins more at Buloyne (Bologna) and sixty-four florins at Rome. Other heavy expenses on the same object were incurred in London.

[19] Digestum vetus, Lib. I. Tit. iii. De Legibus, c. 17, *Scire* . . .

[20] Decretales Gregorii IX, Lib. I, Tit. xxxiii. De Privilegiis, c. 5. (The proper Decretales Extravagantes contain Tituli De Privilegiis, but in no case do these extend to a fifth chapter.)

[21] Digestum vetus, Lib. V. Tit. i. De Judiciis, c. 12, *Cum praetor* . . .

[22] Decretales Gregorii IX, Lib. II. Tit. xxiii. De Praesumptionibus, c. 5, *Nonne* . . .

[23] Decretales Gregorii IX, Lib. I. Tit. iv. De Consuetudine, c. 11.

[24] Liber Sextus Decretalium, Lib. I. Tit. ii. De Constitutionibus, c. 1, *Licet Romanus* . . .

[25] Constitutions of Benedict XII; Wilkins, Conc. II, p. 589 a.

[26] Ibid. p. 595 a. [27] See above, note 23.

[28] Decretales Gregorii IX, Lib. I. Tit. ii. De Constitutionibus, c. 2 (*ancient rubric*), *Rem quae* . . .

[29] Decretales Gregorii IX, Lib. III. Tit. iv. De Clericis non residentibus, c. 3, *Quia nonnulli* . . .

[30] Decretales Gregorii IX, Lib. II. Tit. xxviii. De Appellatione, c. 60, *Cum cessante* . . .

[31] This payment does not appear in any of the extant accounts.

B.

Status Collegii, 1315.

(This document is by three-quarters of a century the earliest of the Durham College rolls. The restoration of the date is quite certain; for besides the ancient endorsement on this roll 'status quidam Collegii Oxon. 1315,' and the same date *inter alia* on the Status of 1455, which was formerly wrapped round the rest of the inventories, the writing is clearly that of the first half of the fourteenth century; the meagreness of the list of vestments is a further testimony to the antiquity of the record. It is specially valuable as containing probably the earliest catalogue of books provided for the use of a society of students at Oxford. Several of the books mentioned in this list seem to have been in Durham Abbey in 1391, when the elaborate classified catalogue was made, which is printed in the 'Catalogi Veteres Librorum Ecclesiae Dunelmensis,' edited by Beriah Botfield for the Surtees Society in 1838; and a few of them seem to be still in existence among the MSS. in the library of the Dean and Chapter of Durham.

This roll, which measures 9½ in. in breadth by about 6 in length, is beautifully written: unfortunately it is very fragile, and a few letters, most of which are restored conjecturally, are missing at the right-hand edge. It is deeply indented

at the top, and about half the words in the first line have been cut away with the counterpart.)

[Catalogus] de orn[amentis] et libris mis[sis Oxoniam] ad usum [monachorum] Dunolmensium [ibidem] stude[ncium].

Vestimenta et alia ornamenta ecclesiastica una cum libris dimissis assignata ad usum monachorum Dunolmensium Oxonie studencium Anno domini M°cc[c°xv°].

In primis unum vestimentum cum tribus aliis vestimentis ferialibus et duabus albis et ij tuniculis et una casula alba, item duabus capis et . . . |

Item unus pannus deauratus.

Item quatuor manutergia pro altari.

Item una casula cum tunica et dalmatica deau[rata].

Item unum missale . . . |

Item tria gradalia.

Item tria antiphonaria.

Item una crux deaurata.

Item Calix.

Item duo panni serici.

Item pix pulcra.

Item dosalis pul[cra.]

[Is] | ta omnia pertinencia ad dictam domum Oxonie [1].

Item quatuor evangelia in duobus voluminibus.

Item scolastica historia.

Item Encheridion cum aliis . . . | libris et epistolis beati Augustini in uno volumine.

Item liber beati Augustini de natura boni cum aliis in uno volumine.

Item Augustinus super genesim ad litteram in uno volumine.

Item retractaciones beati Augustini in rubro coreo.

Item epistole beati Pauli apostoli glosate.

Item medietas scripti Henrici de Gandavo cum quibusdam disput[acionibus] | de quodlibet in uno volumine [2], ita quod in illis duobus libris continentur xv disputaciones predicti Henrici de Gandavo [3].

Item prima pars scripti Thome de Aquino [in uno] | volumine [4].

Item tercia pars scripti Thome de Aquino in uno volumine [4].

Item de malo et potencia cum aliis questionibus in alio volumine.

Item quatuor expo . . . . . | tayns [5] in tribus voluminibus.

Item distincciones Mauricii in quodam nigro coreo [6].

Item secunda pars Moralium Gregorii in uno volumine.

Item Omelie Gregorii [cum] | aliis multis Omeliis diuersorum doctorum in uno volumine [7].

Item liber Naturalium de veteri translacione in uno volumine.

Item postille super Job super librum Salom[onis] | in uno volumine.

Item Postille super xii prophetas et super epistolas canonicas in uno volumine.

Item vita sancti Cuthberti in alio volumine.

Item Brito super | dictiones difficiles biblie.

Item Augustinus de moribus ecclesie.

Item Par Institutorum apparatum [8].

Item Augustinus de trinitate in alio volumine cum littera gratilacionis.

Item | Encheridion et questiones ad Orosium et de spiritu et anima et mirabilibus sacre scripture et meditaciones Augustini et liber octoginta trium questionum | in alio volumine [9].

Item libri Anselmi videlicet cur deus homo, de conceptu virginali, de similitudinibus, de concordia, de processione, monologion, [pro-] | sologion, de opposicione, de veritate, de libertate arbitrii, de casu diaboli, in uno volumine.

Item questiones super logicalia et naturalia et super librum veteris logice [3] in uno volumine.

Item notule super librum de plantis et super librum celi et mundi et recapitulaciones libri Methearorum et phisicorum cum quibusdam aliis | in uno volumine.

Item Augustinus de [disciplina] Christiana et libri Damaceni cum multis tabulis in uno volumine.

Item Boycius super logicam cum aliis | in uno paruo volumine.

Item exposicio Thome de Aquino super libros phisicorum, de anima, et metaphisicorum ex procuracione domini Roberti de Graystanes [10].

Item Lyncolniensis [11] super librum posteriorum et exposicio super metaphisica ex procuracione eiusdem.

Item libri naturales Auicenne et Algazel in uno volumine [12].

Item de libris qui allati fuerant de . . . . . da [13] et impignoratis Aulae de Merton [14].

Primum. Beda super Genesim et de tabernaculo in uno volumine.

Item | Ysidorum (*sic*) ethimologiarum.

Item Postille super Ysaiam Jeremiam et Ezechielem in uno volumine [15].

Item sermones Augustini de pastoribus et ouibus cum aliis multis in uno volumine.

[1] The vestments were the property of the Oxford house; the books were lent permanently 'de communi armariolo' at Durham.

[2] This volume of Henry of Ghent may be that now in the Chapter Library: cf. Cat. Vet. pp. 74, 207.

[3] I owe the words *ita quod in illis* and *veteris logice* to Mr. F. Madan's skill in deciphering the illegible.

[4] Possibly still existing (ibid. pp. 72, 205–6).

[5] I conjecture expo | *siciones R. de Grays* | tayns: he wrote 'Super sententias, libri iv,' a MS. of which Leland saw in the library of the Carmelites at Oxford (Tanner, Bibl. Brit.-Hib. 340).

[6] Cat. Vet. p. 53. Mauricius Anglus, a Dominican friar, c. 1290, wrote Distinctiones (a sort of Concordance) 'ad praedicandum utiles,' part of which work was printed at Venice in 1603.

[7] Almost certainly the valuable MS. of the time of Bishop William of St. Carileph, still in the Chapter Library (Cat. Vet. pp. 63, 216).

[8] 'A pair of Institutes indexed.' [9] Cat. Vet. p. 71.

[10] The excellent monk who continued the Durham Chronicle from 1214 to 1333, in which year he was elected (and actually consecrated and installed) Bishop of Durham, but was set aside by Edward III in favour of his old tutor, Richard de Bury (Hist. Dun. pp. 120–2).

[11] Robert Grosseteste, Bishop of Lincoln 1235–1253.

[12] Cat. Vet. p. 78; but there is no mention there of Algazel.

[13] Two or three words are unfortunately illegible.

[14] The books were frequently pledged in this way, e. g. Comp. 1401. Item lxxij^{s} viij^{d} pro uno libro alias impignorato et extracto de impignoracione. Item pro uno libro iacente in cista in aula Martonis c^{s} Comp. 1402. Item de Cista Oxon. pro impignoracione librorum vii^{li}. vj^{s} xiij^{d}. Comp. 1485. Item pro redempcione unius libri Decretalium xxij^{s} viij^{d}.

[15] Probably a work by Hugo de Vienna, still existing (Cat. Vet. pp. 51, 193).

C.

Libri Missi Oxoniam, c. 1400.

(This document and the next (Cat. Vet. IV and V) are reprinted here for the sake of comparison with the previous list of books. The letter prefixed to each entry 'is generally inscribed upon a fly-leaf or the first written page; and the words or syllables are those which stand first on the second leaf.' The 'Spendement' (pay-office) was a name given locally to the Chancery of Durham Abbey, a room in the west cloister divided only by an iron grating from the Treasury, where the records were long preserved (Cat. Vet. pp. v, vi, and Rites of Durham, p. 71).

Of the twenty-one entries in this list, sixteen (which I have marked with an asterisk) are mentioned in the Catalogue of the Spendement books in 1391 (Cat. Vet. II and III) with the note 'mittitur Oxon.' *in a later hand*; also in the fuller catalogue of the same collection in 1416, with the note 'Oxon.' (Cat. Vet. X). One book, the 'Prima Pars Summae Thomae,' is marked 'Oxon' in the list of Cloister books in 1395 (Cat. Vet. VII): the other four cannot be identified in the Durham lists. It would appear that the books were sent to Oxford after 1395, and were still there in 1416. One book in the list of 1391, 'Prima Pars Moralium Gregorii,' is marked 'habetur Oxon'.)

ISTI SUNT LIBRI MISSI PRIMA VICE COLLEGIO MONACHORUM DUNELM. IN OXONIA, PER JOHANNEM WESSYNGTON[1] CANCELLARIUM, EX DELIBERATO MANDATO PRIORIS ET CONVENTUS DUNELM. PER SUPERVISIONEM DOMINORUM SUPPRIORIS JOHANNIS BARTON[2] ET WILLELMI POKLYNGTON[3].

A. GENESIS et EXODUS, glo. II. fo., 'Quae ergo.' [De le Spendement.] *

B. LEVITICI, NUMERI, et DEUTERONOMII, glo. II. fo., 'tiam Deo.' [De le Spendement.] *

B. JOSUAE et JUDICUM, glo. II. fo., 'Attendite.' [De le Spendement.] *

B. JOB, glo. II. fo., 'Coruscat.' [De le Spendement.] *

B. Quatuor Libri REGUM, glo. II. fo., 'Aramathia.' [De le Spendement.] *

A. Parabolae SALOMONIS, glo. II. fo., 'pennatorum.' [De Claustro.] *

D. Summa Magistri STEPHANI DE LANGETON super ECCLESIASTICUM. II. fo., 'firma est.' [De le Spendement.] *

C. ISAIAS, DANIEL, JEREMIAS, EZECHIEL, glo. II. fo., 'saepe interrogamus.' [De le Spendement.] *

D. Duodecim PROPHETAE, et Interpretacio Nominum Hebraeorum. II. fo., 'Quem Jezebel.' [De le Spendement.] *

D. Item YSAYAS, JEREMIAS, et LEMENTACIONES. II. fo., "ad pontem[4]. [De le Spendement.] *

B. ACTUS APOSTOLORUM. II. fo., 'Salvatoris.' [De le Spendement.] *

D. EPISTOLAE Canonicae, glo. in viii quaternis. II. fo., 'Statu.' [De le Spendement.] *

B. APOCALIPSIS, glo. II. fo., 'Illi. i. ad honorem.' [De Claustro.] *

A O. DECRETALES Novae, glo. II. fo., 'Spiritûs Sancti.' [De Claustro.]

E. Tabula, glo., super VETUS TESTAMENTUM. II. fo., 'Achaz.' [De Claustro.]

K. THOMAS Secunda Secundae. II. fo., 'tinae virtutis.' [De le Spendement.] *

A. Prima Pars Summae THOMAE. II. fo., 'omnes alii.' [De Claustro.]
ECCLESIASTICA HISTORIA. II. fo., 'seu scribendo.'
Undecim quaterni AUGUSTINI super Psalterium.

G. Par DECRETORUM. II. fo., 'consulti.' [De le Spendement.][5]

D. THOMAS, Prima Secundae. II. fo., 'per se.' [De le Spendement.] *

* Marked 'Mittitur Oxon' in 1391 and 'Oxon' in 1416.

[1] Bursar of the College 1398–c. 1403; see Introduction to A.

[2] Occurs as Camerarius at Durham in 1406.

[3] Bursar of the College 1391–2; Feretrarius at Durham in 1402; Prior of Finchale 1411–23; Infirmarius at Durham in 1437.

[4] This should have been *praesentem*: cf. Cat. Vet. pp. 15, 90.

[5] Noted 'deficit' in 1391 (Cat. Vet. p. 35), and 'Oxon' in 1416.

D.

Libri Missi Oxoniam, 1409.

(A careless copy (on paper) of this list is among the College rolls. Of the fifteen entries, five can be identified in the Cloister Catalogue of 1395, where they are marked 'Oxon,' and six in the Spendement Catalogues of 1391 and 1416; these are marked 'Oxon' in the latter list only. The other four do not appear in the Durham catalogues. These books, therefore, were sent in 1409, and had not been returned in 1416. In the paper copy most of the books are described as 'de Communi Armariolo,' i. e. the common book-case of the Spendement or the Cloister.)

ISTI SUNT LIBRI MISSI SECUNDA VICE OXONIAM, PER JOHANNEM WESSYNGTON CANCELLARIUM, EX DELIBERATO MANDATO PRIORIS ET CONVENTUS DUNELM. PER SUPERVISIONEM DOMINORUM SUPPRIORIS WALTERI TESDALE[1] ET WILLELMI POKLYNGTON, A CAPITULO DEPUTATORUM, IN DIE SANCTI CALIXTI[2], ANNO DOMINI M°. CCCC^mo^. NONO[3].

D. In primis Una BIBLIA integra, de le Spendemente. II. fo., post principium Geneseos 'pater habitantium.' *

H. POSTILLAE HUGONIS DE VIENNA super libros Genisis, Exodi, Levitici, Numerorum, Deutronomi, Josuae, Judicum, Regum, Paralipomenon, Esrae, Thobias, Judith, Ester. II. fo., 'quas. s. incongrue.' [Non fuit de le Spendement.] *[4]

A. ESTER, THOBIAS, JUDITH, et RUTH. glo. II. fo., 'pulmentarium habetis.' [De le Spendement.]

B. Prima Pars HUGONIS, de Sacramentis. II. fo., 'continet[5].' [De le Spendement.] *

F. Secunda Pars HUGONIS, de Sacramentis. II. fo., 'et virtute.' [De le Spendement.] *

A. Collaciones ABBATUM. II. fo., 'deret elegisset.' [Non fuit de le Spendement.]

E. Summa PETRI PICTAVENSIS, et Sermones PETRI RAVENNATIS. II. fo., 'dicitur Deus.' [De le Spendement.] *

C. Scriptum BONEVENTURAE super 2^m^ Sentenciarum. II. fo., 'et utilitatem.' [De Claustro.] †

V. Scriptum THOMAE super 3^m^. II. fo., 'dicimus esse proporcionem.' [De Claustro.] †

B. THOMAS super 4^m^ Sentenciarum. II. fo., 'erant totaliter.' [De le Spendement.] †

Passionarium SANCTORUM, in sexdecim quaternis. II. fo., 'Sanctae Trinitatis.'

M. Summa SENTENCIARUM. II. fo., 'Salvus esse xvij de praecariis.' [De Claustro.]

E. GORAM super Epistolas Pauli ad Thimotheum, ad Titum, et super omnes Epistolas Canonicas. II. fo., 'Deum et exposicionem.' [De Claustro.] †

B. GORAM super Lucam. II. fo., 'Vitulus.' [De Claustro.] †

G. PSALTERIUM, glo. II. fo., 'cionibus novum.' [De Claustro.] †

* Mentioned in 1391 and marked 'Oxon' in 1416.

† Marked 'Oxon' in the list of 1395.

[1] Bursar of the College 1389–1391, Master of Jarrow in 1410.

[2] Oct. 14.

[3] Comp. 1408–9. Item Cursori pro vectura librorum a Dunelm. x^{s}. Cf. Comp. 1418, Item Willelmo Beltoft pro cariacione librorum assignatorum Collegio per dominum priorem xx^{d}. Comp. 1419, Item in cariacione librorum assignatorum per dominum priorem et Robertum Rypon vij^{s}. A similar entry occurs in Comp. 1434–5.

[4] This book was still at Oxford on June 24, 1436, when Prior Wessington offered to lend it, rather than an inferior copy at Durham, to John Kempe, Archbishop of York; see his letter in Cat. Vet. app. x.

[5] The paper copy reads *post principium libri*, '*sic quia probantur*.'

E.

Status Collegii, 1428.

(This is probably one of the earliest inventories extant of the moveable property of a college. It is specially valuable for the lists of the furniture in the living rooms, two of which, besides the Parlour and the Warden's chamber, were provided with fire-places. It furnishes the oldest, and in some ways the most detailed, description of the buildings of Durham College; nearly the whole of what has since perished is seen in Loggan's bird's-eye view of Trinity.

The modern equivalents of some of the less usual Latin and English terms for kitchen utensils, &c., are given in brackets in the text, where no special note seems necessary: the glossaries appended to the Surtees Society volumes on the rolls of Finchale, Coldingham, and other Cells of Durham, are very useful for reference on such points, and contain a large quantity of terms then in use in the Palatinate and Bishopric of Durham; see also the E.E.T.S. edition of the Catholicon Anglicum.

The roll is small (1 ft. 6 in. by 7 in.) clean and closely written on both sides. There is also a counterpart, carelessly written, but with fewer contractions; a few variants are given in the text. The two copies are indented in shallow curves which fit into one another. The inventory of 1450 is similarly indented on the right-hand edge, but the counterpart has not been preserved.)

STATUS Collegij Monachorum Dunellmensium Oxonie dimissus per magistrum Willelmum Ebchestyr[1] in festo sancti Michaelis Anno Domini M^{o}CCCC^{o}XXVIIJ^{o}.

CAPELLA.

In primis vestimentum blodium pro magnis principalibus videlicet casula cum ij dalmaticis vna capa cum ij stolis iij manipulis cum iij albis eiusdem secte.

Item vnum vestimentum rubium de cerico cum floribus de auro videlicet cum ij dalmaticis ij capis ij stolis iij manipulis cum iij albis eiusdem secte cum paruo panno eiusdem coloris.

Item j vestimentum rubium de cerico cum ij dalmaticis ij capis iiij albis ij stolis et iij manipulis eiusdem secte.

Item j vestimentum cericum cum pauonibus et grifinis cum ij dalmaticis j manipula j alba eiusdem secte cum stola et ij manipulis alterius secte.

Item j vestimentum rubium de cerico cum aquilis et floribus de auro j stola manipula j alba eiusdem secte cum cingulo de blodio cerico.

Item j vestimentum album de cerico j stola j manipula cum j alba eiusdem secte.

Item parure pro j alba de albo panno cerico.

Item j vestimentum de cerico cum crucibus vna stola j manipula cum j alba eiusdem secte.

Item j vestimentum blodium de cerico cum paruis signis (*v.l.* cignis) j stola j manipula cum alba eiusdem secte.

Item aliud vestimentum blodium de cerico cum j stola j manipula cum alba eiusdem secte.

Item j casula rubia cum alba eiusdem secte cum stola et manipula antiquis.

Item j alba noua de cerico ex dono domini Roberti Crayk[2].

Item j casula rubia de cerico cum leonibus et floribus albis cum stola manipula et alba eiusdem secte.

Item j alba pulcra cum lapidibus preciosis in paruris.

Item j alba cum scutis in paruris.

Item j capa antiqua cum ymaginibus.

Item iij vestimenta vnius secte cum iij albis conuenientibus.

Item j capa blodia floribus auritexta (? auri intexta).

Item j alba cum paruris ymaginibus episcoporum intextis.

Item j alba cum paruris rubiis et viridibus variatis.

Item xiij frontalia pro altaribus.

Item xvij pallia pro altaribus.

Item ix manutergia pro altaribus.

Item viij corporalia cum ix casulis.

Item vnus pannus viridis stragulatus de cerico.

Item xj panni picti et vj redells (*curtains*) pro altaribus.

Item ij redells de cerico viridi pro maiori altari.
Item vj panni pendentes ad cornua magni altaris.
Item modicum de albo panno cerico.
Item iij panni pro ymaginibus in quadragesima.
Item j pannus cericus pro lectrino.
Item iiij culcidre (*cushions*) de cerico.
Item iij panni pro pauimento ante altaria.
Item pannus viridis pro scabello cantoris.
Item j orfray de auro pro casula.
Item j pannus de cerico glaucij coloris.
Item iij panni ad tegendum altaria.
Item iij albe antique sine paruris.
Item iij superaltaria quorum vnum est canonici sancti Oswaldi[3].
Item iiij calices argentei deaurati quorum iij sunt ponderis iij^{xx}v vnc' di' vnc' et quart' et iiij denar' et quartus calix habet plumbum in pede.
Item iiij fiole argentee quarum ij deaurantur ponderis xxvj vnc'.
Item j crux cum ij cruciolis deauratis et lapidibus preciosis.
Item iiij missalia.
Item vj antiphonaria.
Item ix gradalia.
Item ij ordinalia (*MS.* ordinaria).
Item j psalterium cum exequiis.
Item iiij portiferia.
Item j legenda pro matutinis.
Item vij candelabra de auricalco.
Item iiij fiole de stangno (*stanno*).
Item j olla pro vino eiusdem metalli.
Item j olla pro oleo consimilis metalli.
Item iiij parue campane pro altaribus.
Item ij specula pro altaribus.
Item iiij tabule depicte pro altaribus.
Item j par turribulorum de auricalco.
Item j nauis eiusdem metalli.
Item vna citula pro aqua benedicta et j aspersorium consimilis metalli.
Item iiij ciste in reuestiario[4].

Aula[5].

In primis j dorsare (*hanging*) ij banquers (*bench-covers*) iij mense iij formule iij paria tristillarum (*trestles*) ij andyrnys (*andirons*).
Item j vertibulum (*poker*) de ferro.
Item j catesta pendens in aula[6].

Promptuarium [7].

In primis due mappe twelyd pro magna mensa pro principalibus [8].

Item alia mappa (*table-cloth*) honesta pro superiori mensa.

Item ij manutergia pro magna mensa in principalibus.

Item ij manutergia honesta pro superiori mensa pro locione post prandium.

Item iij mappe pro inferiori mensa.

Item j manutergium tweyld (*twilled*) pro principalibus.

Item ij manutergia tweyld pro locione ante prandium in principalibus.

Item sanops [9].

Item j mappa pro superiori mensa.

Item ij mappe pro superiori mensa.

Item iiij sanops.

Item iiij manutergia pro magna mensa post prandium.

Item iiij manutergia pro locione ante prandium.

Item j armariolum in promptuario.

Item ij pelues (*basons*) cum ij lauacris (*ewers*).

Item iiij salsaria cum iij cooperculis.

Item vj candelabra.

Item iiij cadi magni.

Item x minores pro ceruisia.

Item iij cadi pro salsiamento.

Item x coopertoria pro cadis.

Item iij amfore (*amphorae, jars*).

Item a chyppingknyfe (*bread-knife*).

Item a kytt (*tub*).

Item j cadus (*MS.* cadum) pro farina.

Coquina [10].

In primis olla magna de ere cum iij minoribus et j ollula et ij vncis.

Item iij mortaria lapidea cum ij pilis ligneis.

Item iij veruta cum ij rakkys (*racks*) de ferro.

Item j magnum brandreth [11] cum ij clyppes (*pot-hooks*).

Item ij parua brandreths cum ij craticulis (*gridirons*).

Item ij securis cum j cuneo de ferro.

Item j frixorium (*frying-pan*).

Item j mortarium ereum cum pila de ferro.

Item j gratte (? *grater*) pro pane.

Item j fuscina (*three-pronged fork*).

Item j skummer (*v.l.* scomer, *despumatorium*).

Item j hausorium (*ladle*)[12].
Item viij patelle (*pans*) quarum vna est plena foraminibus pro pisis.
Item j pinsa (*pestle*).
Item j streynor (*strainer*).
Item j cadus pro sale.
Item tribula (*rake*) ferrea cum vanga (*shovel*) et tribula lignea[13].
Item iij duodeni de platerijs (*platters*) cum j platereo.
Item iij duodene de discis (*dishes*) cum dimidio.
Item iij duodeni de salserijs.
Item iiij chargiorys (*chargers*).
Item j scala.

Jocalia.

In primis in thesaurario[14] j cista pro mappis et alijs rebus conseruandis.
Item j cista pro monumentis (*muniments*).
Item j pecies (*piece of plate*) deaurata cooperta ponderis viij vnc'.
Item j magna pecies cooperta cum pede ex dono magistri Johannis Marschall[15] ponderis xl vnc'.
Item j pecies cum pede cooperta ponderis xxvij vnc' et di' et quart' in custodia magistri W. Ebchestyr.
[Item] vj pecies vnius secte ponderis lij vnc' et di'.
Item j pecies cooperta cum alia pecie xv vnc'.
Item j salarium in parte deauratum ponderis v vnc' di' et quart'.
Item xxiiij cocliaria ponderis xxviij vnc' et di'.
Item v murre (*cups*) ponderis xxxj vnc'.

In loqutorio[16].

In Primis j dorsare iij banquyrs cum auibus intexta.
Item viij culcidre eiusdem secte.
Item j cathedra.
Item j langsetyll (*long settle*).
Item j cupburd.
Item j formula.
Item ij mense.
Item ij paria tristillarum.
Item vj scabella (*high stools, 'squabs'*) vnius secte.
Item ij awndyryns.
Item j candelabrum ferri fixum in pariete.
Item j peluis.

(*The remainder is written on the back of the roll beginning at the top.*)

In camera custodis [17].

In primis j lectus ligneus.
Item j dormunt [18].
Item j selur (*bed-canopy or valance*) cum iij redels.
Item j cathedra.
Item j langsetyll.
Item ij cupburdys.
Item ij formule.
Item ij awndyryns.
[Item] vnum vertibulum.
Item j candelabrum ferreum in pariete.
Item j mensa.
Item j par tristillarum.
Item In Studeo custodis ij ciste.
Item j par tristillarum et j tabula.
Item j pressorium (*press*) pro pannis.

[In cameris.]

In camera superiori iuxta librariam [19].
In primis j lectus ligneus.
Item ij formule.
Item j studium cum descis et scabellis sufficienter reparatum.

Item in camera inferiori ibidem ij lecti lignei [20].
[Item] v formule.
Item ij studia sufficienter reparata.
Item j mensa.
Item ij awndyryns.
Item j lauacrum.
Item j vertibulum.

Item in camera Dunkan [21] ij lecti lignei. Item j studium sufficienter reparatum, iiij formule. Item j cupbord. Item j scala.

Item in camera inferiori [22] ij lecti lignei. Item ij studia sufficienter reparata in descis et scabellis. Item v formule.

Item in camera iuxta custodem [23] ij lecti lignei. Item iij formule. Item j pressorium cum armariolo. Item j cista. Item j mensa. Item ij awndyryns.

Item in camera supra promptuarium [24] ij lecti lignei. Item ij formule. Item j studium. Item j spera (*sphaera, globe*).

Item in camera supra portam [25] j lectus ligneus. Item j studium ijj formule.

Item in camera superiori ad finem aule[26] j lectus ligneus. Item j spera. Item j formula.

Item in camera ibidem inferiori[27] ij lecti lignei. Item j studium descis reparatum. Item ij formule.

Item in tribus cameris puerorum[28] v lecti lignei cum pressuris (*press-beds*).

In stabulo.

In primis tres equi.
Item ij scelle (*saddles*) pro monachis.
Item ij scelle pro famulis.
Item j scella pro mantica.
Item vj frena.
Item j dolium pro auenis.
Item j cadus pro furfure.
Item j senouectorium (*cenivectorium, mud-cart*)[29].
Item j tribula.
Item j scella pro vectura.
Item in orto j bidens j rastrum cum dentibus ferreis. Item j vanga.

Item in domo iuxta stabulum meremium (*timber*) nouum et tabule (*boards*) ad valorem secundum estimacionem c^{s}.

Item in meremio antiquo dimisso in orto ad valorem xx^{s}.

Item in tegulis, lapidibus pro crestis (*stone ridge-tiles*) pro aula et alijs lapidibus ad valorem secundum estimacionem xl^{s}.

Item in calce dimisso v^{s}. Item in antiquis crestis in camera coci (*v.l.* pro coquina) lxxxiiij.

Item in plumbo dimisso ponderis xxij^{arum} petrarum (*MS.* petatr).

Item in vj paribus ligaminum (*hinges*) pro ostijs et fenestris.

[1] Warden 1419–28; probably these inventories were rendered by the outgoing warden.

[2] Possibly the R. de C. mentioned in A, par. 5; but cf. Comp. 1390, Item hostiario Chamere domini pape cognomine Crayke ex precepto episcopi et supprioris, xx^{s}.

[3] St. Oswald's at Durham was not a Collegiate Church, though there were two chantries there, founded in 1392 and 1402. Nostell Priory for Augustinian Canons and its cell at Bamborough, and Bardney Abbey for Benedictine monks, were dedicated in honour of St. Oswald; but had they any connexion with Durham College?

[4] The vestry was a room adjoining the chapel on the N.E., and under the S. end of the library; the S. window and a small door are seen in Loggan's view. It was used as the bursary of Trinity College till the end of the eighteenth century, when it was thrown into the president's lodgings. Since 1887 it has been occupied as a set of rooms (No. 38). The terms vestry and treasury are often synonymous (Willis and

Clark, iii. 483), and this room was probably the place where the Jocalia (plate and valuables) were kept.

[5] This hall is shown in Nele's view and Agas's map, where it appears to have a small lantern or bell-turret. It collapsed during some alterations made by President Ralph Kettell, who built the present hall on the same site in 1618–20.

[6] Stage or scaffold, from *κατάστασις*; an instrument of torture (Ducange); perhaps here the stocks, which were kept 'above the skreen' at Trin. Coll. Camb. in 1560; see Willis and Clark, iii. 364.

[7] The present buttery of Trinity College; the central doorway is a four-centred arch, but a pointed arch is visible in the S.W. corner, which is probably the most ancient piece of building to be seen in the College.

[8] Sc. diebus or feriis, feast-days.

[9] Sanops, sanoppis (1455), saunappes, savenapes, corrupted from late Greek *σάβανον*, a save-napkin or coarse towel for ordinary occasions (Finchale Rolls, glossary).

[10] This kitchen was on the north side of and connected with the buttery, according to the arrangement usual at Cambridge. It was pulled down by President Bathurst c. 1680.

[11] A screen of iron bars for roasting meat, standing before the fire and extending over it (Finch. Rolls, gloss.).

[12] Comp. 1422. Item pro duabus patellis uno hausorio et uno scemmer vj^{s} xj^{d}.

[13] Comp. 1423. Item pro una vanga duabus tribulis et emendacione unius pinse et unius securis xij^{d}.

[14] The room over the entrance gateway and entry (see Loggan's view), which was used as the treasury of Trinity College, is accounted for in the list of chambers below; this treasury therefore must be identical with the 'revestiarium.'

[15] One of this name held a visitation at Durham Abbey for the Bishop on Jan. 2, 143$\frac{7}{8}$ (Hutchinson's Durham, ii. 96 n.).

[16] Probably the ground-floor room with two large windows, seen in Loggan's view, at the west end of the north side of the old quadrangle, which was demolished c. 1728. Wood records several coats of arms in the windows of this 'lower chamber next to the hall doure' (Clark's Wood's City of Oxford, ii. 272). This room corresponded to the Calefactorium, Pisalis, or Common House (Rites of Durham, p. 75) of a Benedictine monastery, and to the Common or Combination Room of a modern College. Other forms are parletorium, parletum, parlura, parloria; and in the seventeenth century we hear of pocula parliamentaria (see Willis & Clark, vol. iii, pt. III, ch. vi).

[17] On the first floor at the west end of the north range; in Loggan's view it has one large and two small windows, and there seems to be an indication of a newel staircase in the angle which this side of the quadrangle makes with the entrance to the hall; this might be a private stair for the warden, as at Corpus.

[18] Probably a form of the word 'dormond,' which appears to signify 'part of the clothing of a bed' in the Finchale Rolls.

[19] Formerly a bedroom in the president's lodgings, now an anteroom to the library; it has been curtailed by staircase No. 9 and the adjacent bedroom. The heads of the eastern windows retain traces of old work, and there is a very ancient wooden doorway lately reopened between this room and the library.

[20] Formerly a sitting-room in the lodgings; now the bursar's office.

[21] Probably the large first-floor room at the north end of the east (or library) side of the old quadrangle: it was 'ceeled' at the date of the survey; once the dining-room, then the drawing-room, of the president's lodgings; since 1887 occupied by the present writer.

[22] The large ground-floor room, once the study and lately the dining-room of the lodgings.

[23] Probably the room in the middle of the north range; in Loggan's view it has one large and one small window.

[24] The walls of this room still remain, though much disguised by successive alterations. Sir Thomas Pope ordered that the 'cubiculum angulare aulae ex parte boriali contiguum' should be used 'pro dominorum filiis,' if any were studying at the College (Trinity Statutes, c. xxvi). In the last century it was a 'Bachelors' Common Room.'

[25] Afterwards the gazophylacium or treasury of Trinity College; seen in Loggan's view.

[26] Once the bedroom of the 'poor scholars' at Trinity, now the Common Room; possibly used as an oratory by the monks till 1408 (see Introduction, p. 11).

[27] The original (1665) Common Room of Trinity College; then the Bursary, now 'the old Bursary,' used as a lecture-room. The floor is now considerably below the level of the quadrangle.

[28] Either the three rooms unaccounted for in the north range (see Loggan's view); or possibly the building NW. of the buttery, demolished about 1680.

[29] Cf. Comp. 1405. Pro mundacione communis latrine et seneuectorio ix^{s} vij^{d} ob. Comp. 1431. Item pro scenouectorio xiiij^{d}.

F.

Status Collegii, 1456.

(This inventory is similar to the last, but contains a number of additional items, mostly presents from ex-Wardens or Fellows of the College: the Latinity is more ambitious, especially in the list of kitchen utensils. There is also a roll entitled 'Status Collegii monachorum Dunelmensium dimissus per Magistrum Johannem Burnby in festo Sancti Michaelis Anno Domini millesimo CCCC quinquagesimo'; three or four items which are neither in the 1428 roll nor in this are mentioned in the notes. This roll is docketed 1455, but it must belong to the following year, since Bishop Robert Nevill's confirmation of Burnby's election as Prior is dated 25 Nov. 1456 (Hist. Dunelm. app. ccliv). The items printed in italics have been scored through in the MS., possibly to make this list serve again at another change of Warden.

The roll consists of three pieces of parchment joined together by a narrow slip interwoven through slits cut at the bottom of the upper and the top of the lower pieces. It is well written and in good preservation, and measures 3 ft. by $7\frac{1}{2}$ inches; I have not preserved the v's in vna, &c.)

Status Collegij monachorum Dunelmensium Oxonie dimissus per venerabilem patrem magistrum Johannem Burnby[1] priorem Ecclesie Cathedralis Dunelmensis.

Capella.

In primis vestimentum blodium pro magnis principalibus festis videlicet casula cum ij^{bus} dalmaticis una capa cum ij^{bus} stolis et iij manipulis cum iij albis eiusdem secte.

Item unum vestimentum rubium de cerico cum floribus de auro videlicet cum ij^{bus} dalmaticis ij capis ij stolis iij manipulis cum iij albis eiusdem secte.

Item unum vestimentum rubium de cerico cum ij dalmaticis ij capis cum iij albis ij stolis et iij manipulis eiusdem secte.

Item vestimentum cericum cum pauonibus et grifinis cum ij dalmaticis j stola j manipula j alba eiusdem secte cum ij manipulis alterius secte.

Item unum vestimentum rubium de cerico cum aquilis et floribus de auro una stola una manipula una alba eiusdem secte cum singulo de blodio cerico.

Item unum vestimentum album de cerico una stola una manipula cum una alba eiusdem secte.

Item parure pro una alba de albo panno cerico.

Item unum vestimentum de cerico cum crucibus una stola una manipula una alba eiusdem secte.

Item unum vestimentum blodium de cerico cum paruis signis una stola una manipula eiusdem secte.

Item aliud vestimentum blodium de cerico cum una stola una manipula cum alba eiusdem secte.

Item aliud vestimentum blodium de cerico cum una alba una manipula una stola eiusdem secte.

Item vestimentum rubium de cerico cum una alba j manipula una stola.

Item una casula rubia cum alba eiusdem secte cum stola et manipula antiqua eiusdem secte.

Item una alba noua de cerico ex dono Roberti Crake.

Item una casula rubia de cerico cum leonibus et floribus albis cum stola manipula et alba eiusdem secte.

Item una alba pulcra cum lapidibus preciosis in paruris.

Item una alba cum scutis in paruris.

Item una capa antiqua cum ymaginibus.

Item unum vestimentum pro magno altari in ferialibus diebus cum alba stola et manipula eiusdem secte.

Item ij vestimenta unius secte cum ij albis conuenientibus.

Item una alba cum paruris ymaginibus episcoporum intextis.

Item una alba cum paruris rubijs et viridibus variatis.

Item xiij frontalia pro altaribus.

Item xiij pallia bona pro altaribus.

Item unum nouum pallium pro magno altari ex dono venerabilis patris magistri Johannis Burnby.

Item ix manutergia pro altaribus.

Item viij corporalia cum ix casulis.

Item unus pannus viridis stragulatus de cerico.

Item ornamenta alba rubijs crucibus intexta pro xl[a] (*quadragesima*) ex dono domini Willelmi Seton[2].

Item ix panni picti cum sex reddell pro altaribus.

Item ij redell de cerico viridi pro magno altari.

Item v panni pendentes ad cornua magni altaris.

Item sex panni depicti pro altaribus in principalibus cum panno pro lectrino eiusdem secte ex ordinacione magistri Ricardi Barton[3].

Item unus pannus cericus pro lectrino.

Item iiij culcidre de cerico.

Item unus pannus pro pauimento ante altaria.

Item unus pannus de cerico glauci coloris.

Item iij panni ad tegenda altaria.

Item superaltaria quorum unum canonici sancti Oswaldi.

Item quinque calices.

Item iiij fiale argentee quarum duo deaurata ponderis xxvj unc'.

Item una crux cum ij cruciolis deauratis et lapidibus preciosis.

Item iiij missalia.

Item vj antiphonaria.

Item ix gradalia.

Item unum ordinale.

Item unum psaltarium cum exequijs mortuorum.

Item unum nouum antiphonarium.

Item unum psaltarium ex dono magistri Roberti Burton[4].

Item iiij portiferia.

Item una legenda pro matutinis.

Item vij candelabra de auricalco.

Item iiij fiale de stanno.

(*Here the parchment is roughly joined by a strip woven through slits.*)

Item una olla pro vino eiusdem metalli.

Item olla pro oleo consimilis metalli.

Item iiij parue campane pro altaribus.

Item ij specula pro altaribus.

Item iiij tabule depicte pro altaribus.

Item unum par turribulorum pro altaribus de auricalco.

Item una nauis eiusdem metalli.

Item una situla pro aqua benedicta et unum aspersorium eiusdem metalli.

Item iiij ciste in revestiario.

Item unum calefactorium pro magno altari deauratum.

Item unum frontale nouum pro magno altari.

Item ij manutergia tweld ex dono magistri Johannis Burnby.

Aula.

In primis ij dorsare ij banquers iiij mense iij formule j par tristillarum ij andyryns.

Item unum vertibulum de ferro [5].

Item una tribula ferrea ex dono magistri Roberti Burton.

Thesaurarium.

In primis ij mappe tweld pro magna mensa pro principalibus.

Item alia mappa honesta pro superiori mensa.

Item ij manutergia pro superiori mensa pro locione post prandium.

Item unum manutergium tweld pro principalibus.

Item ij manutergia tweld pro locione ante prandium in principalibus.

Item ij mappe pro superiori mensa.

Item ij manutergia conrespondencia eisdem pro eadem mensa.

Item unus pannus fere sex ulnaris (*sic*) ex dono magistri Johannis Burnby.

Item vij ulne panni linei pro stauro ex dono eiusdem.

Item una mappa cum alijs vetustis et consumptis.

Item unum vitrum bonum pro vino vel ceruisia ex dono domini Ricardi Shyrburn [6].

Promptuarium.

In primis ij mappe cum iiij sanoppis pro superiori mensa.

Item iiij magna manutergia pro locione post prandium pro superiori mensa cum sex alijs manutergijs pro locione ante prandium.

Item ij mappe pro inferiori mensa.

Item quinque salaria de stanno cum uno coopertorio.

Item quinque candelabra de auricalco et unum de ferro.

Item decem cadi pro seruisia.

Item unum doleum pro pane.
Item unum Tub pro micis panum (*scraps of loaves*).
Item iij cadi pro veriuto (*verjuice*).
Item ij andene (*andirons*) ferree *cum uno vertibulo ferreo.*
Item ij amphore lignie pro ceruisia.
Item iij pelues de auricalco cum totidem lauacris eiusdem metalli.
Item unus cultellus.
Item unus tribulus ferreus.
Item una olla pro lentibus (*MS.* letibus)[7].

Jocalia.

In thesaurario una cista pro mappis et rebus conservandis.
Item una cista pro monumentis.
Item una pecies deaurata ponderis viij unc'.
Item una magna pecies cooperta ex dono magistri Johannis Marchal ponderis xl unc'.
Item una pecies cum pede cooperta ponderis xxvij unc' et di' et quart'.
Item xxij coclearia ponderis xxviij unc'.
Item sex pecies unius secte ponderis lij unc' et di'.
Item una pecies cooperta cum alia pecie ponderis xv unc'.
Item unum salarium in parte deauratum ponderis v unc' di' et quart'.
Item quinque murre.
Item unum spiceplat (*dessert-dish*) ponderis xij unc' et di' ex dono magistri Willelmi Ebchester.
Item ij salsaria de argento ex dono domini Stephani Howden[8] quarum alterum est coopertum.
Item unum coopertorium de argento cuius est ignoratur[9].

Perloquitorium.

(*Here the parchment is similarly joined.*)

In primis unum dorsare cum iij banquers cum auibus intextis.
Item iij culcidre eiusdem secte.
Item una cathedra.
Item j langsedyll.
Item unum copbord.
Item una formula.
Item ix skeppis (*straw or rush hassocks*) ad subponendum pedibus.
Item ij mense.
Item unum par tristyllarum.
Item ij Andyryns.
Item unum candelabrum ferreum in pariete.

Camera Custodis.

In primis duo lecti lignei.

Item ij silura (*bed-canopies*) cum vj ryddellis (*curtains*).

Item una cathedra.

Item unum longum sedile.

Item ij copbordys.

Item una formula.

Item ij Andyryns.

Item unum vertibulum.

Item unum peell (?*peele, firepan or shovel*) de ferro.

Item una mensa.

Item unum par tristyllarum.

Item in studio custodis una cista.

Item unum pressore pro pannis.

Item iiij panni de sago ex dono magistri Johannis Burnby pendentes circa cameram.

Item alij duo panni de sago ex dono eiusdem.

Item iij alij panni blodij ex dono eiusdem.

Item unus bonus lectus cum tapete cum stella et nominibus Jesu Christi intextus.

Item una peluis de stanno cum lauacro de auricalco.

Item vj culcidre de blodio sago.

Item j gret meell (*mell, mallet*)[10].

Item una mappa cum ij manutergijs ex dono magistri Johannis Burnby.

Item unum manutergium pro pane deferendo.

Coquina.

In primis ij magne olle et tres minores de ere cum uno lato chafor.

Item quinque patule (*pans*).

Item xx parapsides (*dishes*) cum xx discis et xij salsariis electri.

Item una peluis plena foraminibus pro pisis.

Item unum hausorium eneum.

Item unum schomore.

Item unum tridens.

Item ij rakys (*racks*) ferri cum una trabe de ferro.

Item iij hukys (*hooks*) ferri pendentes super trabem.

Item iij clyppes ferri unius secte et ij alterius secte.

Item unum mortarium eneum cum pila ferrea et ij mortaria lapidia cum ij pilis lignijs.

Item j craticula.

Item iij frixoria.

Item unum calefactorium pro aqua.
Item ij magna veruta (*spits*) cum ij minoribus.
Item una securis cum ij cunijs ferrejs.
Item j prong ferri pro †aborihunibus† extripandis [11].
Item j vanga cum tribula.
Item unum grate.
Item unum strenore (*strainer*).
Item ij charioris (*chargers*).
Item j gret meel (*great mallet*).
Item unum hausorium (*ladle or bucket*) ligneum.
Item una serra.
Item j limax (? κλῖμαξ, *ladder*).

VASA ELECTRI DIMISSA IN CISTA IN BURSARIA [12].

In primis in discis	xxvij disci.
Item in salsarijs	xxiij salsaria.
Item in plateris	v unius secte.
Item in plateris	viij alterius secte.
Item	ij chargoris.

[1] Warden 1442–1450 and 1453–1456.

[2] Frequently Bursar between 1436 and 1447; occurs as Chancellor of Durham and S. T. B. in 1455, and as S. T. P. in 1463 (Hist. Dun. pp. cccxxxi, cccxlix).

[3] Warden 1428 to 1431. Cf. Comp. 1430. Item pro pinctura vestium pro altaribus in capella xxxviij^{s} xj^{d}.

[4] A Robert Burton was Archdeacon of Northumberland in 1421 and 1427 (Hutchinson's Durham, ii. 223).

[5] Status 1450 adds 'Item j catasta.'

[6] Bursar 1444–5, 1449–50, 1453–4; B. Can. L. 145$\frac{3}{4}$ (Boase, Reg. Univ. Oxf. p. 22).

[7] Oatmeal, cf. Finchale Rolls, glossary, s.v. Lentiscus.

[8] Occurs as Bursar 1402–3; sub-prior of Durham 1434 (Hist. Dun. ccxxxix).

[9] Status 1450. 'Item una pecies cum coopertorio ponderis xix unc' et di' ex dono magistri Johannis Burnby.

[10] The name of Prior Richard Bell is frequently spelt Beel, Beell, or Bele in these rolls.

[11] I conjecture that this was a spud (*hasta furcata*) for *extirpating aborigines*, i.e. not blackbeetles, but *superflui frutices* or suckers (see Ducange and Forcellini, s.v.).

[12] Probably identical with the vestry or treasury.

G.

Compotus, 1392–3.

(This Compotus, of which there are two fairly well-preserved and well-written copies, each 2 ft. 3 in. long by 9 in. broad, is selected as a good specimen of the earlier form which the annual accounts soon assumed. It is specially remarkable for the fulness of the details with reference to the payments from the officers of Durham and the dependent cells, and for the non-appearance of both the church of Bossall and the manor of Cotgrave in the list of estates. The entries relating to Oxford are unfortunately very scanty. The inventory of property on the rectory glebe at Frampton often extends to a much greater length.)

Compotus dominorum Roberti de Blaklaw[1] Walteri de Tesdale[2] et Willelmi de Kybellesworth[3] monachorum Dunelmensium a festo sancti Michaelis anno domini M^mo^CCC^mo^LXXXXIJ^o^ usque ad idem festum Michaelis anno domini M^mo^CCC^mo^LXXXXIIJ^o^ de bonis et catallis collegij monachorum Dunelmensium Oxonie studencium.

Remanentia. Idem respondent de viij^s^ xj^d^ ob. de remanentibus compoti precedentis.

Summa . . . . viij^s^ xj^d^ ob.

Arreragia. Et de cxl^li^ j^i^ xj^s^ iiij^d^ remanentibus in bonis catallis et debitis ut patet per compotum precedentem (quorum nomina patent in dorso).

Summa . . . . cxlj^li^ xj^s^ iiij^d^.

Recepte. Et de iiij^xx^xvj^li^ vij^s^ vij^d^ receptis de omnibus proficuis ecclesie de Frampton[4] prouenientibus per tempus compoti.

Et de xliiij^li^ receptis de toto exitu proficuo ecclesie de Fhyslak[5] assignate ad firmam.

Et de iiij^s^ ix^d^ de meremio antiquo vendito.

Et de xxx^li^ receptis de ecclesia de Rodyngton[6] sic dimissa ad firmam.

Et de xl^s^ receptis de redditu assiso in eadem villa.

Et de xx^li^ receptis de pensione de Alverton[7].

Et de lx^s^ receptis de pensione camerarum Oxonie.

Et de xiij^li^ iij^s^ iiij^d^ receptis de pensione Officiariorum et cellarum preter Coldingham.

Et de xiij^li^ vj^s^ viij^d^ receptis de Officiarijs Dunelmie et cellarum pro contribucione debita scaccario.

Et de iiij^li^ xvj^s^ receptis de Camerario pro oblacionibus et pannis lineis.

Et de c^s^ receptis de Cominario pro oblacionibus.

Et de xl^s^ receptis de Feretrario pro oblacionibus.

Et de xxvj^s^ viij^d^ receptis de uno equo vendito.

Et de x^s^ receptis de pellibus lanutis de xlviij multons mortuis in morina duobus annis preteritis.

Et de xiij^{li} vj^{s} viij^{d} receptis de lanis de Frampton de anno preterito.

Summa . . . . ccxlix^{li} xx^{d}

Et de x^{li} mutuatis [8] de domino Thoma de Midilton. **Mutuata.**

Et de iiij^{li} mutuatis de domino Thoma Vlluesby.

Summa . . . . xiiij^{li}

Summa totalis recepte preter arreragia et mutuata . cclxiij^{li} xx^{d}

Summa totalis recepte cum remanentibus arreragiis et mutuatis . . . ccccv^{li} xxiij^{d} ob.

De quibus in primis computant de pensione soluta vicario de Frampton . . . . . xix^{li} vj^{s} viij^{d} **Expense. Frampton.**

Item pro indempnitate eiusdem ecclesie episcopo archidiacono et capitulo Lincolniensi . . . . . liij^{s} iiij^{d}

Item pro medietate decime solute domino Regi pro eadem ecclesia iij^{li} iij^{s} iiij^{d}

Item pro tonsione ouium ibidem cv^{xx} . . . x^{s} ij^{d} ob.

Item pro expensis seruiencium et diuersorum laborancium ibidem circa husbandriam . . . . . xxvj^{s} j^{d} ob.

Item in diuersis rebus emptis pro husbandria et remanentibus ibidem xliiij^{s}

Item in ventilacione et trituracione et factura brasij ibidem iiij^{li} xix^{s}

Item in expensis autumpnalibus . . . . iiij^{li} xviij^{s} vj^{d}

Item pro stipendijs seruiencium ibidem cum feno empto et in ferrura equorum . . . . . liiij^{s} xj^{d}

Item in v equis emptis pro curribus et equitatura nostra lxviij^{s} viij^{d}

Item pro clausura et muracione vicarie . . . . xlj^{s}

Item pro uno amerciamento soluto in curia Regine pro fractura fossarum in les Fens . . . . . liij^{s} iiij^{d}

Item Capellano de Wikys pro decimis garbarum ab eo emptis et cantarie sue pertinentibus . . . . . liij^{s} iiij^{d}

Item Johanni Bell de Botilston procuratori nostro . xiij^{s} iiij^{d}

Item procuratori nostro respondenti pro nobis in sinodo apud Lincoln vj^{s}viij^{d}

Item in reparacione fossarum in les Fens et domorum xj^{s} viij^{d}

Item in expensis autumpnalibus anni precedentis ultra x^{li} allocatos pro eisdem expensis . . . . . xx^{s}

Item in xiij multons expensis in autumpno et hospicio per annum receptis de instauro precium pecudis xvj^{d} . . . xvij^{s} iiij^{d}

Item domino Thome Vlsby pro pensione sua . . xxvj^{li} xiij^{s} iiij^{d} **Fyschelak.**

Item vicario pro pensione sua . . . . xiij^{li} vj^{s} viij^{d}

Item in duabus partibus oneris ipsius ecclesie . . cv^{s} ix^{d} ob.

Item in diuersis expensis circa reparaciones ibidem viij^{li} vij^{s} iiij^{d} ob.

Item pro liberatura domini Thome Vlsby . . . xj^{s}

Rudyngton. Item domino Thome Midilton pro pensione sua . . xl^{li}

Item in reparacione rectorie et stratura ecclesie et alijs expensis xviij^{s} iiij^{d}

Item pro medietate decime solute domino Regi . xxxiij^{s} iiij^{d}

Item pro indempnitate eiusdem ecclesie Episcopo et Capitulo Eboracensi . . . . . xxvj^{s} viij^{d}

Item Hugoni Anslay pro pensione sua . . . . xx^{s}

Item Johanni Killyby pro pensione sua . . . . xl^{s}

Item Receptori domini Episcopi Eboracensis pro excusacione prioris a Sinodo et duabus acquietancijs . . . . iij^{s} viij^{d}

Summa . . . . clvij^{li} vij^{s} vij^{d}

Oxonie. Item in reparacione murorum et camerarum Oxonie xliij^{s} iiij^{d} ob.

Item abbatisse de Godstow x^{s} et canonicis Frydeswyde ij^{s} et canonicis de Osnay xviij^{d} [9] . . . . . xiij^{s} vj^{d}

Item pro secta Curie . . . . . xij^{d}

Item pro liberatura puerorum et seruiencium ibidem iiij^{li} vij^{s} viij^{d}

Item pro liberatura ad extra seruiencium . . . . xxx^{s} xj^{d}

Item in cera et alijs necessarijs emptis ad Capellam . v^{s} v^{d} ob.

Item in Communis monachorum puerorum et stipendijs seruiencium xxxviij^{li} iiij^{s} x^{d} ob. qu.

Item in oblacionibus Prioris et Sociorum . . . xxx^{li} viij^{s}

Item pro factura xij cocliarum . . . . . vj^{s} viij^{d}

Item in expensis Prioris et sociorum laborancium in patria et versus Dunelmiam . . . . . vij^{li} xvij^{d}

Item domino Radulfo de Lumley in partem solucionis summe eidem solute pro Simondset et Preston [10] . . . viij^{s}

Summa . . . . iiij^{xx}v^{li} x^{s} x^{d} ob. qu.

Soluciones debitorum. Item domino Waltero Petwardyn pro denarijs sibi debitis x^{li}

Item in solucione facta diuersis creditoribus pro mutuatis in compoto precedenti . . . . . viij^{li}

Item in solucione facta domino Johanni Port vicario de Fisshelake pro denarijs sibi debitis de tempore domini Johannis de Beryngton lxvj^{s} viij^{d}

Summa . . . . xxj^{li} vj^{s} viij^{d}

Summa expensarum cum solucionibus debitorum cclxiiij^{li} v^{s} j^{d} ob. qu.

Et sic excedunt recepte expensas in cxl^{li} xvj^{s} ix^{d} ob. qu.

(*This is followed by a brief 'allocacio,' the details of which are given more fully on the back of the roll, as follows*)

De quibus petit allocacionem de xiiij^{s} de decasu precij xxviij multons venditorum pro xxiij^{s} iiij^{d} qui appreciabantur ad xxxvij^{s} iiij^{d}

Et de xxxvij^{s} iiij^{d} in precio xxviij multons mortuorum in morina.

Summa . . . . lj^{s} iiij^{d}

Et de cxxj^{li} iiij^{s} viij^{d} de remanentibus in bonis et catallis et debitis collegij ut patet per nomina infrascripta.

De executoribus domini de Neuell . . . . . l^{li}
De Johanne Fleshewer de Colston . . . . . vj^{s} viij^{d}
De Willelmo Fabro de Colston . . . . . ij^{s}
De magistro Roberto Manseld . . . . . c^{s}
De magistro Johanne de Midilton . . . . . xl^{s}
De Priore insule sacre pro iij annis preteritis . . iiij^{li} xiij^{s} iiij^{d}
De magistro de Wermouth pro pensione de ij annis . . xx^{s}
De officio Camerarii de tempore domini Johannis Beryngton lxxvj^{s}
De abbate et monachis de Swyneshened . . xxxvj^{li} xiij^{s} iiij^{d}
De precio xj^{xx} multons remanentium apud Framton precium pecudis xvj^{d} . . . . . xiiij^{li} xiij^{s} iiij^{d}
De precio vnius olle ibidem manentis . . . . iij^{s} iiij^{d}
De ij plumbis in bracia ibidem remanentibus . . liij^{s} iiij^{d}
De vno maschephat (*mashtub*) ibidem existente . . ij^{s}
De vna scala ibidem remanente . . . . . xvj^{d}
Summa . . . cxxj^{li} iiij^{s} viij^{d}

Et de xii^{li} x^{s} v^{d} ob. de arreragijs pensionum et contribucionum [11] debitarum infra hunc compotum viz.

De Priore de Fenkhall de contribucione . . . liij^{s} iiij^{d}
De Priore insule sacre de contribucione . . . xxx^{s}
De Priore de Coldyngham de contribucione . . . xxx^{s}
De Priore de Lethom de contribucione . . . . xx^{s}
De Priore de Stamford de contribucione . . . xiij^{s} iiij^{d}
De magistro de Wermouth de contribucione . . xiij^{s} iiij^{d}
De eodem de pensione . . . . . x^{s}
De Cominario de oblacionibus ad tumbum sancti Cuthberti xx^{s}
De Feretrario pro oblacionibus ad eundem tumbum . viij^{s}
De pensione Camerarum Oxonie . . . . . xiij^{s} iiij^{d}
Et de pensione de Alverton de tempore vacacionis . lix^{s} j^{d} ob.
Summa . . . . xiij^{li} x^{s} v^{d} ob.

Status rectorie ecclesie de Frampton anno domini M^{o}CCC^{mo} nonagesimo tercio liberatus Johanni Smyth preposito ibidem per dominum Robertum de Blaklawe Priorem collegij monachorum Dunelmensium in Oxonia in festo sancti Michaelis anno domini supradicto.

Granarium. In primis remanent in granario vnum quart' frumenti puri et de mixto iiij quart' j bus' et de brasio iiij quart' et de fabis et pisis xiiij quart' et de auenis ij quart'.

Stabulum. Item remanent in stabulo v equi pro curribus viz. duo empti de Johanne Claymond vnus griseus emptus de Johanne Harpor vnus niger emptus de Johanne Smyth et vnus niger assignatus ibidem per

priorem [12]. Item remanent ij currus vnus ferro ligatus et alius fere nouus sine ferro cum apparatu sufficiente pro eisdem ad v equos.

Coquina. Item remanent in coquina ij plumbi magni Item v olle enee Item j masfatte Item de vasis stagni vj parapsides vj disci vj salsaria Item j mappa cum manutergio Item alia mappa de Canuasso pro seruientibus cum duobus manutergijs curtis de simili panno Item iiij ciphi viij parapsides lignee xij disci lignei iiij candelabra ferri cum stipitibus ligneis.

Item remanent in camera iij chalons de mortuarijs [13].

Item remanent in grangia j wyndocloth [14] ix sacci de quibus pro quinque nondum soluitur Item j modius ligneus Item j cribrum antiquum et ij wyndyls [14] Item j furca pro feno.

Item remanent vj porci maiores Item x porci mediocres Item xiiij porculi de etate unius quartarie Item v porcelli sugentes Item x galline ij galli x capones Item xj^{xx} bidentes.

[1] Warden c. 1389–1404. [2] See D, note 1.

[3] Bursar also 1398–1400.

[4] On the Wash, $3\frac{1}{4}$ miles S. of Boston. This rectory was sold by the Dean and Chapter of Durham in the sixteenth century.

[5] Fishlake, $8\frac{1}{2}$ miles N.E. of Doncaster; there is a very fine church dedicated to St. Cuthbert. Still in the possession of the Dean and Chapter.

[6] Ruddington, 5 miles S. of Nottingham. Laxton, 11 miles N.E. of Southwell, also contributed for a year to the revenues; Cotgrave too was in the same neighbourhood, being 11 miles N.E. of Nottingham.

[7] It is curious that there are no outgoings at Northallerton; generally there was some small subscription to be deducted.

[8] It is probable that these loans were *involuntary* contributions on the part of the pensioned ex-rectors of Rodington and Fishlake.

[9] See Introduction, notes 15, 17, and 35. Trinity College still pays a quit-rent of 5*s.* to Christ Church for these small sums due from Durham College to St. Frideswide's and Osney.

[10] Sir Ralph de Lumley, who married Eleanor da. of John third Lord Nevill of Raby, and was summoned as a Baron 1384–1399, was Lord of Simonside *alias* South Preston at this time, but there is no clue to the transaction recorded here. He and William de Blaykeston were the 'firmarii' (lessees, perhaps as trustees) of the four Nevill advowsons. A William de Lumley frequently acted for Berington in legal matters.

[11] See Introduction, note 36.

[12] The horses' names are often given; e. g. in Berington's inventory of the stock on the estates in 1389 we find 'bayard porter, bayard pynhors, bayard cutte, gray Scot, bayard blind, gray Frampton, gray ambler, gryme, gray doxo, bay blind, gray bleb, gray Rougton, Scot, brune, gray lyard, Gyll, bird.'

[13] 'Shalloons for mortuaries,' i. e. blankets taken as a sort of heriot by the rector after the death of a parishioner.

[14] Wyndocloth, winnowing-cloth; wyndyl, winnowing-fork.

H.

Compotus, 1462–3.

(This document is selected as a good specimen of the form in which the accounts were made up annually during the greater part of the fifteenth century, though it does not contain any entries of special importance. It belongs to a period at which the rolls were very finely written on large pieces of parchment: this one measures 2 ft. 1 in. by 12¼ in. and is docketed 'Pars Prioris.' The copy or counterpart is inferior in appearance.)

Compotus Fratris Thome Caly[1] Custodis Thome Haluer[2] et Johannis Aukland[3] Bursariorum Collegij Monachorum Dunelmensium in Oxonia a Festo Sancti Michaelis Archangeli Anno Domini Millesimo cccc^{mo}LXIJ^{o} vsque Idem Festum Anno Domini revoluto.

In primis Idem respondent de xx^{s} vij^{d} ob. remanentibus ultimi compoti precedentis ut patet in pede eiusdem. **Remanentia.**

Summa . . . . Patet.

Et respondent de xlvj^{li} xiij^{s} iiij^{d} receptis de ecclesia de Frampton hoc anno. **Recepte.**

Et de xxvj^{li} xiij^{s} iiij^{d} receptis de ecclesia de Rodyngton sic dimissa.

Et de xxxij^{li} receptis de ecclesia de Fysshelake sic dimissa[4].

Et de xviij^{li} receptis de ecclesia de Bossall sic dimissa.

Et de xlv^{li} vj^{s} viij^{d} receptis de ecclesia de Brantyngham[5] videlicet de ecclesia de Brantyngham cum capella de Ellerkar xxv^{li} vj^{s} viij^{d} et de capella de Blaktoft xx^{li}.

Et de xx^{li} receptis de ecclesia Aluerton pro pensione eiusdem.

Et de iij^{s} iiij^{d} receptis de prouisore et monachis ordinis Cisterciensis pro quadam parcella terre sic eis dimissa ad terminum octoginta annorum hoc anno vicesimo septimo[6]. **B.**

Et de ij^{s} receptis de firmis Camerarum hoc anno. **A.**

Summa omnium Receptarum	Preter Remanentia . .	ciiij^{xx}viij^{li} xviij^{s} viij^{d}
	Cum Remanentibus . .	ciiij^{xx}ix^{li} xix^{s} iij^{d} ob.

In primis Episcopo Lincolniensi xvij^{s} ix^{d} Capitulo viij^{s} x^{d} ob. et Archidiacono Lincolniensi viij^{s} x^{d} ob. pro indempnitate ecclesie parochialis de Frampton ultra viij^{s} xj^{d} solutos eidem Episcopo iiij^{s} v^{d} ob. Capitulo iiij^{s} v^{d} ob. Archidiacono solutos per vicarium eo quod tenetur ad terciam partem omnium onerum per nouam ordinacionem[7] . . . . . xxxv^{s} vj^{d} **Expense. Extrinsece. Frampton.**

Item in pensione vicarij ecclesie predicte per nouam ordinacionem xx^{li}

Item in medietate unius decime domino Regi soluta ultra xxj^{s} j^{d} qu. solutos per vicarium per dictam ordinacionem . . xlij^{s} ij^{d} ob.

Item in cera thure et oleo cum pane et vino ac alijs minutis oneribus ultra terciam partem solutam per vicarium [8] . . xvij^{s} viij^{d}
Item in Amerciamentis xij^{d}, in firma de Balgrene iiij^{d} . xvj^{d}
Item in denarijs sancti Petri iiij^{s} v^{d}, in procuracionibus et sinodalibus vj^{s} ultra iij^{s} solutos per vicarium per nouam ordinacionem x^{s} v^{d}
Item in stipendio Diaconi ultra vj^{s} solutos per vicarium xij^{s}
Item in colleccione et trituracione granorum . . . iiij^{li}
Item in stipendio Procuratoris [9] . . . . . xl^{s}
Item in Fossatis maris et marisci [10] . . . . . x^{s}
Item in alijs reparacionibus hoc anno ibidem factis . . xij^{s} vj^{d}
Item in expensis custodis et aliorum diuersis vicibus ibidem xx^{s}
Item in expensis Procuratoris apud Stamfordiam tempore conuocacionis Episcopi Lincolniensis . . . . . ij^{s}
Item in condonatis parochianis ad fabricam ecclesie . vj^{s} viij^{d}
Item in solutis Willelmo Guddyng pro decimis Capelle de Wykes xl^{s}
Summa. . . . xxxvj^{li} viij^{s} vij^{d} ob.[11]

Rodyngton. In primis Archiepiscopo Eboracensi xiij^{s} iiij^{d} Capitulo xiij^{s} iiij^{d} pro indempnitate ecclesie parochialis de Rodyngton . . xxvj^{s} viij^{d}
Item in medietate unius decime domino Regi soluta . xxxiij^{s} iiij^{d}
Item in reparacionibus hoc anno ibidem factis . . cij^{s} vj^{d}
Item in perdonatis firmario ibidem . . . . . lxx^{s} x^{d}
Summa . . . . xj^{li} xiij^{s} iiij^{d}

Fysshelake. In primis Archiepiscopo Eboracensi viij^{s} x^{d} ob. Capitulo viij^{s} x^{d} ob. pro indempnitate ecclesie parochialis de Fysshelake una cum alijs expensis in quibus vicarius est contributarius in tercia parte xliij^{s} x^{d}
Item in pensione vicarij ecclesie predicte . . xiij^{li} vj^{s} viij^{d}
Item in medietate unius decime domino Regi soluta ultra xiij^{s} iiij^{d} solutos per vicarium . . . . . xxvj^{s} viij^{d}
Item in libero redditu domino duci Eboracensi pro prato vocato Parson medow . . . . . ij^{s} x^{d}
Summa . . . . xvij^{li}

Bossall. In primis Archiepiscopo Eboracensi xiij^{s} iiij^{d} Capitulo xiij^{s} iiij^{d} pro indempnitate ecclesie parochialis de Bossall . . xxvj^{s} viij^{d}
Item in medietate unius decime domino Regi soluta . xx^{s}
Item in Reparacionibus factis circa cancellum ecclesie . xx^{s}
Summa . . . . lxvj^{s} viij^{d}

Brantyngham. In primis in solucione facta Capitulo Eboracensi secundum tenorem appropriacionis . . . . . iij^{s} iiij^{d}
Item in pensione vicarii ecclesie predicte . . xiij^{li} vj^{s} viij^{d}
Item in pensione capellani capelli de Blaktoft . . . cvj^{s} viij^{d}
Item in solucione cuiusdam annue pensionis ecclesie collegiate sancti Johannis Beuerlaci ab antiquo debite et solui consuete c^{s}

Item in solucione cuiusdam annue pensionis Camerario ecclesie cathedralis Dunelmensis ab antiquo debite et solui consuete vj^{li} xiij^{s} iiij^{d}

Item in medietate unius decime domino Regi soluta lxvj^{s} viij^{d}

Item in elemosina data pauperibus parochianis ecclesie predicte secundum ordinacionem appropriacionis . . . iij^{s} iiij^{d}

Item in reparacionibus factis apud Brantyngham . . lix^{s} xj^{d}

Item in aliis reparacionibus factis circa unam clausuram in parochia de Blaktofte . . . . . xv^{s} vj^{d}

Summa . . . . xxxvij^{li} xv^{s} v^{d}

In condonatis vicario de Aluerton de pensione sua . . iiij^{li} **Aluerton.**

Item in medietate unius decime domino Regi soluta . xx^{s}

Summa . . . c^{s}

Summa omnium expensarum extrinsecarum . . cxj^{li} iiij^{s} ob.

Expense Intrinsece.

In primis in communis monachorum scolarium secularium et seruiencium per tempus compoti . . . . . xl^{li} ix^{s} iij^{d} ob.

Item in duobus festis Sancti Cuthberti cum recepcione extraneorum per idem tempus[12] . . . . . xlij^{s} vj^{d} ob.

Item in oblacionibus[13] custodis et sex sociorum suorum ibidem xxx^{li}

Item in Liberatura Custodis Bursariorum et seruiencium intra et extra . . . . . viij^{li} v^{s}

Item in reparacionibus domorum et murorum . . . xviij^{s} iiij^{d}

Item in donis datis diuersis causa collegij . . . x^{s}

Item in reparacionibus factis in Aula Promptuario et Coquina vij^{s} vj^{d}

Item in cirpis emptis pro Capella et Aula . . . xx^{d}

Item in expensis custodis et aliorum laborancium in negocijs Collegij . . . . . c^{s}

Item in cera empta pro capella et in factura eiusdem vj^{s} viij^{d}

Item pro feno prebenda et medicinis equorum cum ferrura reparacione sellarum et frenorum . . . . . xl^{s}

Item in libera firma et secta curie[14] . . . . . xv^{s} ij^{d}

Item in stipendijs seruiencium . . . . . cxiij^{s} iiij^{d}

Item pro vectura custodis[15] . . . . . xiij^{s} iiij^{d}

Item in pergameno et scriptura compoti . . . ij^{s}

Summa . . . iiij^{xx} xvij^{li} iiij^{s} x^{d}

Allocacio.

Item ijdem petunt allocacionem de iij^{s} iiij^{d} de isto anno debitis ultra xxxvj^{s} viij^{d} pro undecim annis elapsis debitos a prouisore et monachis ordinis cisterciensis quo quadam parcella terre eis dimissa ad terminum octoginta annorum hoc anno vicesimo septimo.

Summa . . . . iij^{s} iiij^{d}

Summa omnium expensarum intrinsecarum extrinsecarum et allocacionis . . . . . ccviij^{li} xij^{s} ij^{d} ob.
Et sic in superplusagijs[16] . . xviij^{li} xij^{s} x^{d}

[1] Warden 1457–c. 1463.

[2] Bursar 1457–63; occurs among those voting at the election of Prior Robert Ebchester in 1478 (Hist. Dun. p. ccclxii).

[3] Warden c. 1481–1484. [4] 'As leased.'

[5] The advowson of Brantingham in Howdenshire, a large parish on the north bank of the Humber, 11 miles west of Hull, was one of the most ancient possessions of the church of Durham. The Convent obtained a licence, Aug. 4, 1458, to appropriate the rectory to the College on condition that the vicar's stipend and other ancient charges (as stated among the outgoings) were regularly paid, and a further 'ordinacio' framed by the Archbishop of York, Aug. 4, 1459, stipulated for payments to the poor and the York chapter. This property was granted, March 7, 1550, to Walter Jobson of Hull, the Crown reserving certain rentcharges, *including one of £17 due to Durham College;* but the patronage and impropriation reverted to the Dean and Chapter in the seventeenth century. The chapelry of Blacktoft was less closely connected with the mother parish than that of Ellerkar (Hutchinson's Durham, iii. 478–80); it is 8 miles E. by S. of Howden and 20 miles from Hull.

[6] The northern part of the original garden or grove of the Durham Hall, as granted c. 1290, was leased at a nominal rent to the Provisor and Cistercian monks of Bernard College, founded by Archbishop Chichele in 1437. After the dissolution this land, for which the occupiers seldom paid the rent, was given to the Dean and Chapter of Christ Church on Dec. 11, 1546, and they sold it to Sir Thomas White. It is now covered by the second quadrangle and (possibly) the southern part of the garden of St. John's College.

[7] The new arrangements providing for the proper payment of the vicar and other parochial charges; cf. Comp. 1442–3, Item magistro Roberto Thornton officiali domini Lincolniensis episcopi pro labore suo in negocio noue ordinacionis vicarie de Frampton ex conuencione secum facta per magistrum Johannem Mody nuper custodem Oxonie xl^{s}.

[8] Cf. Comp. 1442–3 (Exp. extr. Frampton), Item pro cera oleo thure et crismate cum pane et vino tam in die pasche quam pro celebracione missarum ac in pane et ceruisia data capellanis pro locione altarium in cena domini ultra terciam partem, &c., v^{s} viij^{d}.

[9] The Warden was allowed to send a Proctor, in lieu of personal attendance, to the synods of the Archbishop of York and Bishop of Lincoln, for the appropriated rectories. The 'bulla indulgencie' of Boniface IX, printed by Wilkins (Conc. II. 618–19), cost 13*s.* 4*d.* in 1396. A licence from the Archbishop, dated Oct. 8, 1432, is printed in Hist. Dun., App. cxcix.

[10] A constant source of expense in the low-lying parishes of Frampton and Fishlake: e. g. Comp. 1437, Item in factura de le Fendyke cum aliis clausuris et fossatis factis ij^{s} x^{d}; Comp. 1495, Pro le Dykyng duarum

Clausurarum vj^{s} viij^{d}. Cf. Berington's Comp. 1387–9, In valore vij^{xx} viij bidencium dimersarum tempestate maris in pastura domini de Dakyr in Southholland (*near Frampton*) xiiij li.

[11] This total is 4*d.* more than the sum of the items: possibly an i above should be altered to a v.

[12] Deposition of St. Cuthbert March 20 (687), Translation Sept. 4 (998).

[13] 'Offerings,' a polite term for stipend in Durham documents: 'liberatura,' livery, allowance of cloth, &c.

[14] 'Fee-farm and suit of court'; the small quit-rents to Godstow, Oseney, St. Frideswide's, and the payment at the court of Bullingdon (? Northgate) hundred as mentioned in the valuation of 1534.

[15] 'Travelling expenses' are often allowed to fellows and scholars as well as to the warden; e.g. Comp. 1401, Item in vectura quinque sociorum veniencium de Oxonia viz. dominorum Johannis Heryll, Stephani Howeden, Johannis Wessyngton, Johannis Gysborne, Johannis Swynshede ac prioris eiusdem loci iiij^{li}.

[16] Deficit: a balance is often expressed by 'remanent.'

J.

Compotus, second quarter 1464.

(The following is a good specimen of the short accounts rendered quarterly by the Warden or Bursars. Between fifty and sixty of these rolls have been preserved; but some of them are extremely brief, and often written very illegibly on mere scraps of parchment, one of which seems to have been not rolled but folded into a small square, and is endorsed, 'Tradatur domino Ricardo barton monacho Dunelm.' A large majority bear dates between 1422 and 1425, or 1431 and 1438; in nine cases all four quarters of the academic year are represented and the compotus for the whole year has also been preserved: there is only one duplicate. They are generally dated by reference to the usual quarter-days, but sometimes other saints-days are mentioned, such as the festivals of SS. Ambrose, Aydan, Oswald, Peter *ad Vincula*, Jerome, Margaret, and Euphemia. Occasionally these rolls are of great value as furnishing details of the payments roughly classified in the annual accounts. This document is clean and well written, and is 6½ in. broad by 11 in. long.)

Compotus Thome Haluer et Johannis Aukland bursariorum a die veneris proximo ante festum Anunciacionis beate Marie Anno Domini millesimo cccc^{o}lxiij^{o} usque ad diem veneris proximum ante festum natiuitatis sancti Johannis baptiste extunc proxime sequens [1].

In primis idem respondent de xlvj^{s} viij^{d} receptis de domino Willelmo Law [2]. **Recepte.**

Item apud Aluerton de vj^{li} vj^{s} viij^{d} receptis de custode.

Item de iij^{li} receptis de custode in parlura [3].

Item de viij^{li} xiiij^{s} vj^{d} receptis alias de eodem.

Item de ix^{li} x^{s} xj^{d} receptis de custode.

Item de x^s receptis de aula balioli.
Item de $iiij^{li}$ x^s $viij^d$ receptis de custode.
Summa . . . $xxxiiij^{li}$ xix^s v^d

Expense. In primis xv^d ob. qu. in superplusagiis [ut] patet in pede precedentis compoti.

In communis monachorum	$cxiij^s$ vj^d ob.
In communis puerorum	iij^{li} vij^s xj^d ob.
In batellis et iurnellis[4]	$viij^s$ $iiij^d$ ob. qu.
In oblacionibus sex sociorum	vj^{li}
In secta curie	$xxij^d$
In die obitus fundatoris[5]	xvj^d ob. qu.
In reparacionibus murorum in primis in lapidibus emptis	vj^s vj^d
Item pro cariagio eorundem	$xviij^s$ iij^d
Item pro factura muri	xvj^s $viij^d$
Item pro luto et cariagio eiusdem	vj^s vj^d
Item pro mundacione murorum et stramine . .	ij^s x^d
Item pro calce ad murum	iij^s
Pro reparacionibus domorum in primis pro tegulis emptis	$liiij^s$ vj^d
Item in calce	ix^s j^d
Item pro clauis ferreis	x^s $viij^d$
Item pro clauis ligneis	ij^s $viij^d$
Item tegulatoribus	iij^{li} xij^s ij^d
Item pro cirpis emptis pro capella et aula . .	$xxij^d$
Item pro duabus cordis emptis pro fonte . .	iij^d
Item pro ferrura prebenda et medicina equorum .	$xiij^s$ iij^d
Item in expensis diminutis infra collegium . .	$iiij^s$ ij^d
Item in stipendijs seruiencium	xx^s x^d
Item pro defencione iuris collegij in eam appellacionem rebellium scolarium eiusdem in donis feodis et regardis iurisperitorum ac expensis laborancium versus Dunelmiam et leuium onerum diuersis vicibus[6]	$viij^{li}$ xx^d
Item pro scriptura compoti	j^d
Summa . . . xxxv^{li} xix^s $iiij^d$ qu.	
Et sic expense excedunt receptas	xix^s xj^d qu.

[1] Easter Sunday fell on April 1 in 1464; hence the exact date of this roll is March 23, 146¾, to June 22, 1464. [2] Warden c. 1478–c. 1481.

[3] Possibly the 'perloquitorium' at Oxford; but there was a 'Parler' at Durham, 'a place for marchaunts to utter their waires, standing betwixt the Chapter house and the Church dour' (Rites of Durham, p. 44); it was converted into a Registry by Dean Matthew, and must not be confused with the 'Common House' in the west cloister.

[4] Daily wages or allowances in food; cf. Comp. 1423, Item in iurnellis duorum vitrariorum xj^d ob. [5] Bishop Hatfield died May 8, 1381.

[6] The relations between the regular 'socii' and the 'scolares seculares' seem to have been strained from time to time. Nothing more is known of this appeal; but the 'ordinacio' of John Hemmingburgh, Prior 1391–1416, 'inspected' by Prior John Wessington in 1431 (Hist. Dun., app. ccviii), seems to define the duties of the boys to the monks in a judicial manner, and as the result of an appeal.

K.

Computus, 1541–2.

(The importance of these documents has been pointed out in the Introduction They consist of two sheets of paper, folded in half and then rolled together, and are written in an exceedingly difficult hand, with numerous contractions, many of which are so arbitrary that the expansion of them is rather conjectural. It will be noticed that in some points the Latin is more modern in character. The only other computus of this period, that of Edward Hyndmer, S. T. P (see list of Wardens), is similar in character, but the revenues were then got in direct from the appropriated churches.

Collegium Oxonie.

Computus Georgii Clyff[1] sacre Theologie bacularii Rectoris ibidem computante a Festo Sancti Michaelis Archangeli Anno Domini M^l^DXLJ^mo^ usque Festum Sancti Michaelis Archangeli Anno Domini M^l^DXLIJ^do^.

Recepta denariorum.

Et de cxxviij^li^ vj^s^ viij^d^ receptis de Hugone Whithed[2] sacre Theologie Professori et Decano Ecclesie Cathedralis Dunelmensis diuersis vicibus videlicet pro termino Natalis Domini per manus magistri Tayllor xx^li^ et de Rectoria de Framton xiiij^li^ iij^s^ iiij^d^ ad Festum Annuntiationis beate Marie Virginis de predicto Decano per Thomam Whithed xxx^li^ ad festum Natiuitatis Sancti Johannis Baptiste de dicto Decano per Georgium Blunt xx^li^ de Rectoria de Framton xiiij^li^ iij^s^ iiij^d^ ad Festum Sancti Michaelis Archangeli per doctorem Bennett[3] et Stephanum Marley[4] xxx^li^ prout patet per billam manu dicti Georgii Clyff scriptam.

Summa Totalis Recepte . . . cxxviij^li^ vj^s^ viij^d^

Bacularii sacre Theologie[5].

E quibus solutum Georgio Clyff Thome Potter Johanni Mathew Willelmo Tayllor Georgio Blunt Hugoni Winter et Antonio Todde Jacobo Greye cuilibet[6] eorum capienti pro termino Natalis Domini xlvij^s^ vj^d^. . xix^li^

Et solutum predictis octo bacularii pro terminis Annunciationis beate Marie virginis sancti Johannis Baptiste et sancti Michaelis Archangeli pro consimilibus exhibitionibus pro predictis iij^bus^ terminis. . lvij^li^

Arcium[7] Bacularii.

Et solutum Cristofero Ratclyff Johanni Pullen Johanni Hudson et Antonio Grene cuilibet[6] eorum capienti pro termino Natalis Domini xxxvij^{s} vj^{d}. . vij^{li} x^{s}

Et solutum predictis iiij^{or} uiris pro terminis Annunciationis beate Marie virginis sancti Johannis Baptiste et sancti Michaelis Archangeli pro consimilibus exhibitionibus pro predictis iij^{bus} terminis. . xxij^{li} x^{s}

Summa . . . . cvj^{li}

Et allocata Francisco Claymond firmario Rectorie de Framton pro diuersis Reparationibus et aliis expensis per ipsum factis ut particulariter patet per duas billas de particulis inde super hunc Computum ostensas et examinatas videlicet prima billa lxxj^{s} iij^{d}, ij^{da} billa iiij^{li} xiiij^{s} x^{d} ob. In toto viij^{l} vj^{s} j^{d} ob.

(*This computus appears to be unfinished, but wrapt up with it is another sheet of paper containing the particulars from which it was intended to compose the account for the whole year* 1541–2.)

Georgius Clyffe, Rector.

Terminus a Festo Michaelis ad Natale Christi 1541°.

Recepta.

In primis Recepi a magistro decano per manus magistri Talari. . xx^{li}

Deinde Recepi de Rectoria Framptoniensi . . xiiij^{li} iij^{s} iiij^{d}

Exhibitiones Sociorum.

In primis Rectori, magistro Potter, magistro Mathew, sacre sophie Bacchalariis, Willelmo Talaro, artium magistro, Georgio Blountt, Hugoni Wynter, Antonio Toide Juris Civilis Bacchalario, Jacobo Graie, Artium Bacchalariis, dedi cuilibet horum divisim xlvij^{s} vj^{d}, nam hii omnes supremi stipendii erant.

Deinde solvi etiam Christofero Radcliffe Johanni Pullanne Johanni Hudsoon, et Antonio Greynne, Artium Bacchalariis cuilibet horum etiam seorsum xxxvij^{s} vj^{d}.

Summa totalis Inter hos omnes . . xxvj^{li} x^{s}

Reparationes seu allocationes de Frampton erant. iiij^{li} xiiij^{s} x^{d} ob.

Sumptus vel expense eorum sociorum qui equitarunt pro Ipsa firma . . . . . xvj^{s} viij^{d}

Summa . . . . . v^{li} xj^{s} vj^{d} ob.

Quibusdam ministris Collegii.

Coquo vij^{s} vj^{d} subcoquo iij^{s} iiij^{d} Bib$^{te.}$[8] qui tunc temporis per omnia fungebatur tum vice quum officio mancipii v$^{s.}$[9]

In expensis necessariis collegii &c.

In primis pro Resartione antique Sere cum nova clave eidem viij^{d} pro centum ligniolis vel laythes x^{d} In Reparatione unius antiqui muri at in nihilum fere delapsi xvj^{d} pro nova Sera cum clave x^{d} In solita pensione[10] Collegio Fridiswide virginis debita ij^{s} Doctori Smythe[11] pro Integro totius anni et lecture Regie Stipendio v^{s} ix^{d} In expensis

magistri Potteri et alterius socii usque Londinum circa Res Proficuas, ac In primis Isti Collegio vestro non Infrugiferas viij^{s} x^{d}.

Summa . . . xxxvj^{s} j^{d}. Remanent v^{s} viij^{d} ob.

(*Second page of the sheet.*)

Terminus a Natali Christi ad Annuntiationem beate Virginis etc. 1542°.

Recepi a magistro decano Duresmie per Thomam Whitthede xxx^{li} **Recepta.**

Rectori cum 7tem Sociis supremi stipendii quorum quilibet habuit xlvij^{s} vj^{d} **Exhibitiones sociorum.**

Summa Inter eos 7tem . . . . xix^{li}

Deinde 4^{or} aliis Inferioribus sociis quorum quilibet habuit xxxvij^{s} vj^{d}

Summa Inter eos . . . . . vij^{li} x^{s}

Coquo vij^{s} vj^{d}. Subcoquo iij^{s} iiij^{d}. Bib^{te} qui adhuc omnia exequibatur munera que ad officium mancipii spectabant v^{s}. pro Cibo potuque 4^{or} ministrorum Collegii In 2^{a} mensa xv^{s}. **Aliquibus ministris collegii.**

Summa . . . . . xxx^{s} x^{d}

Pro Reparatione 2^{arum} vetustissimarum domuncularum ex occidentali parte Aule et pro novo ostio cum sera nova eidem vij^{s} vj^{d}. In Expensis meis versus Londinum pro quietudine et pro decenti honestoque statu ac ordine Istius Collegii xv^{s}. pro 2^{abus} novis seris etc. ij^{s}. In Clavis xij^{d}. **In Reparationibus Intrinsecis et expensis necessariis extrinsecis.**

Summa . . . xxv^{s} vj^{d}. Remanent xiij^{s} viij^{d}.

Terminus ab Annuntiatione beate Virginis ad Baptistam 1542°.

Recepi a magistro decano per Georgium Blountt . . xx^{li} **Recepta.**

Rursus Recepi de Rectoria Framptoniensi . xiiij^{li} iij^{s} iiij^{d}

Rectori cum 7tem sociis maximi stipendii ut supra xlvij^{s} vj^{d}

Summa Inter eos 7tem . . . . xix^{li}

Deinde 4^{or} aliis posterioribus sociis, ut supra . xxxvij^{s} vj^{d} **Exhibitiones sociorum.**

Summa Inter eos 4^{or} . . . vij^{li} x^{s}

(*Third page of the sheet.*)

Reparationes etc. de Frampton erant . . . iij^{li} xj^{s} iiij^{d}

Sumptus ac Expense 2^{orum} qui equitarunt pro ipsa firma xviij^{s} x^{d}

Summa . . . . . iiij^{li} x^{s} ij^{d}

Mancipio x^{s}, Superiori coquo vij^{s} vj^{d}, Subcoquo iij^{s} iiij^{d}, Barbetonsori iiij^{s}, Lotrici iii^{s} iij^{d}, pro cibo potuque 4^{or} ministrorum Collegii In 2^{a} mensa xv^{s}. **Famulis collegii omnibus.**

Summa . . . . . xliij^{s} ij^{d}

Pro excidendo dolando quadrando undecim arbores emortuas in nemusculo nostro, ij^{s} vj^{d}, deinde 4^{or} operariis per 2as fere Integras **Expense collegii**

tam utiles quam honeste. Septimanas circa easdem excisas arbores sarrando et id genus alia faciendo xv^{s}, pro pane potuque eisdem viij^{d}, pro dealbatione unius inferioris cubiculi xx^{d}, In expensis meis cum Iter arripiebam versus Woudstocke In res futuras domui nostre [12] de Handborrow ij^{s}, In expensis meis ab Oxonia In Duresmiam et econtra, atque id solum hunc nimirum computum Reddendi gratia &c. xxx^{s}, atque his omnibus annumeratis In debito est xxxj^{s} x^{d}.

Terminus a festo Johannis Baptiste ad Michaelem, 1542°.

Recepta. Recepi a doctore Bennett et magistro Stephano Marlaie xxx^{li}

Exhibitiones sociorum. Rectori cum 7tem sociis ut supra, xix^{li} Et 4^{or} aliis sociis ut supra vij^{li} x^{s}

Summa . . . . . xxvj^{li} x^{s}

Expensis collegii summe necessariis. Lectori Regio pro dimidio sui stipendii ij^{s} ix^{d} &c., In consueta pensione Collegio de Frydiswide ij^{s}, Johanni Singleton ut puto Tabellario Jamdudum apud vos existenti &c. preter omnem Remunerationem vestram vj^{s} viij^{d}, pro conpositura vestiarii antea pressaere [13] xvj^{d}, pro reparatione sere Ipsius Janue que iuxta Capellam est cum nova clave vj^{d}, pro Resartione tum sere quum clavis Illius etiam Janue que in oppidum [14] prodit ac prominet vj^{d}, pro una clave ostiolo cubiculi nuper vocati capellani et pro alia clave ostio in nemusculum vertenti viij^{d}, pro Redintegratione unius fenestre vitree xx^{d}, pro cancellis lappideis in eadem fenestra affixis vj^{d}, pro composito Lectisternio vj^{d}, pro clavis iij^{d}.

Summa . . . xvij^{s} . . . . . Remanent iij^{li}

(*Fourth page of the sheet.*)

Terminus a festo Michaelis ad Natale Christi. 1542°.

Recepta. Recepi a magistro Decano per Thomam Whitthed . xxx^{li}

Exhibitiones sociorum. Rectori cum 7tem sociis Collegii ut supra . . . xix^{li}
4^{or} aliis Inferioribus sociis ut supra . . . . vij^{li} x^{s}

Summa . . . . . xxvj^{li} x^{s}

In Reparationibus. In primis pro uno vestiario (antea presser) noviter fabricato xvj^{d} pro duobus subselliis vel scamnis xiiij^{d} pro uno novo Lectisternio (a bedstede) ab Integro facto xviij^{d}.

Summa . . . iiij^{s} ij^{d} . . Remanent iij^{li} v^{s} x^{d}

[1] Senior fellow in 1540-1; supp. B.D. 1539 (Boase's Reg. Univ. Oxon. p. 195). See list of Wardens. [2] Warden 1512-c. 1524.

[3] Robert Bennett was Bursar of Durham Abbey at the Dissolution (Rites of Durham, p. 82); B.D. 1523, DD. 1527 (Boase, p. 131). He was made first Prebendary of the Eleventh Stall, and died 1558.

[4] Sub-prior of Durham (Rites, p. 78); B.D. 1530; first Prebendary of the Sixth Stall; deprived 1572 (Hutchinson's Durham, ii. 190).

[5] Mathew, B.D. 1539; Taylor, B.A. 1533, M.A. 1541; Blunt, B.A. 1540, M.A. 1544; Todd, B.C.L. 1541; Grey, B.A. 1541, M.A. 1544 (Boase, pp. 195, 173, 199, 201, 198; and Forster's Alum. Oxon.).

[6] MS. quilibet.

[7] Ratclyff, B.A. 1540, M.A. 1544; Pullen, ? B.A. 1540, M.A. 1544; Hudson, B.A. 1540, M.A. 1544; Green, B.A. 1542, M.A. 1544 (Boase, pp. 199, 198, 198, 200). In 1540 there were eight scholars, Chr. Ratclyff, J. Pullen, Ralph Coker, Cuthbert Hutchison, Edmund Wylie, Marmaduke Slingsby, William Taylor, and Ant. Green.

[8] I conjecture 'Bibliste,' bible-clerk, as 'Barbitonsori' could hardly be contracted in this way.

[9] In 1540 the manciple, Lawrence Atkinson, was paid 25*s.*; the cook received 20*s.*, the sub-cook, 6*s.* 8*d.*, the barber 11*s.* 8*d.*, the laundress 6*s.* 8*d.*, the 'equester' 12*s.* 8*d.*, and John Hudson, 'servus collegii,' 23*s.* 4*d.*

[10] The ancient quit-rent; cf. Cart. of St. Frid., ed. Wigram, pp. 372, 486. It was specially reserved 'Magistro Collegii de Fryswith in villa nostra Oxon.' (Christ Church) in Henry VIII's charter endowing the Durham Chapter, May 12, 1541.

[11] Richard Smyth, D.D., Fellow of Merton; Henry VIII's Reader in Divinity at Christ Church 1535–1548 and 1556–1558.

[12] In 1540 the College received 7*s.*, 'de suo tenemento in Handbrow videlicet pro libera firma'; see Introduction, p. 21.

[13] If this reading is correct it must mean that the term 'presser' was formerly used for the piece of furniture here called a 'vestiarium.'

[14] The ancient gateway in Broad Street, for which see Comp. 1396–7, Item in expensis factis circa facturam nove porte, c^{s} viij^{d} ob. qu.; Comp. 1407, Item in reparacione facta circa nouam portam lxxj^{s} j^{d}: it was demolished in 1733. A drawing by Francis Wise, now in the Trinity library, is engraved in Skelton's Oxonia Antiqua Restaurata, vol. ii.

L.

Edificacio Capelle, 1406–8.

(This short summary of the expense of building (or rebuilding) the chapel is the only document of the kind among the College rolls; there are entries referring to the same work in the Compotus of 1404–5 and 1405–6. A Bull of John XXIII, licensing interments within the chapel, is printed in Hist. Dun. Scr. Tres., app. clxxxvii: cf. Comp. 1411–2, Item in 2^{bus} bullis s. sepulture et indulgencie, vij^{li} xvij^{s} viij^{d}. There are two copies of this roll, both 8 inches by 6¼.)

Compotus Willelmi de Appelby[1] de edificacione nove capelle Oxonie a festo Assumpcionis beate Marie anno domini m^{o}cccc^{mo} sexto usque ad idem festum anno domini &c. cccc^{mo} octavo.

Remanencia. Varie Recepte.

In primis idem respondet nichil de remanentibus ultimi compoti.

Et de x^{li} receptis de executoribus domini Walteri Dunelmensis Episcopi [2].

Et de xx^{s} receptis de Johanne Fyscheburn juniori.

Et de xvj^{s} viij^{d} receptis ex dono prioris de pensione aule Balliolensis pro ij annis [3].

Et de vij^{li} ij^{s} receptis de debitis domini Roberti Blaklow [4] ex dono eiusdem domini prioris.

Et de lxxviij^{s} iiij^{d} receptis de debitis collegij eidem domino priori de dono eiusdem ad id opus.

Et de viij^{li} datis ex officio Elemosinarij ad idem opus.

Et de xxij^{li} datis eidem operi ex eodem officio ut patet in ultimo compoto eiusdem.

Summa Receptarum . . . lij^{li} xvij^{s}

Expense.

In primis in primo anno per manus Willelmi Appelby viij^{li} xxij^{d}

Item eodem anno per manus Johannis Fyscheburn junioris et Johannis Kirkland . . . . . xxx^{li} ix^{d} ob.

Item secundo anno pro ferreo opere ad fenestras . xix^{li} xij^{d} ob.

Item in eodem anno pro lapidibus calce cariagio et lapicidis et alijs expensis per manus eiusdem Willelmi Appilby . xxv^{li} x^{d} ob.

Item pro expensis circa meremium per manus eiusdem Willelmi Appilby . . . . . x^{li} xiij^{s} ix^{d} ob.

Item per manus Johannis Herl et Johannis Fysheburn junioris viij^{li}

Item tegulatori in parte solucionis de xx^{ti} marcis . xxvj^{s} viij^{d}

Summa expensarum . . . cij^{li} v^{s}

Et sic superexpendit . . . . . xlix^{li} viij^{s}

(*On the back of the roll.*)

Memorandum quod ante istum compotum recipiebantur xxiij^{li} iiij^{s} j^{d} ad edificacionem capelle infrascripte [5]

Item expendebantur ante istum compotum circa edificacionem eiusdem capelle xxxiij^{li} xiij^{s} [6].

Summa totalis receptarum . . lxvj^{li} xj^{d} [7]

Summa omnium expensarum . . cxxxv^{li} xviij^{s}

[1] Warden 1404–1409; his arms were still to be seen in a window in the seventeenth century.

[2] Walter Skirlaw, Bishop of Lichfield and Coventry, 1386, of Bath and Wells 1386, of Durham 1389, a liberal benefactor to Durham Abbey, York Minster, University College, &c., died March 24, 140$\frac{5}{6}$, leaving to the College 'xx^{l} *saltem* in aliquale relevamen fabricae seu reparacionis capellae suae ibidem, ut ipsi in suis missis et devocionibus orent Deum pro anima mea' (Test. Ebor. p. 308). That sum is included in the £23 3*s.* 1*d.* mentioned below; in Comp. 1417 there is a further sum of £6 13*s.* 4*d.* received 'de executoribus domini Walteri Episcopi.'

[3] This was a charge on the Balliol rectory of Mickle Benton, assigned by the Convent to the Warden of the College for the chapel lights: cf. Feodarium Prioratus Dunelmensis (Surt. Soc. 1871), p. 77 (Inventarium ; Pensiones), 'Et nichil de x^{s} quondam debitis de magistro aule de Balliolo in Oxonia, quia assignantur ad luminaria capelle collegii monachorum Dunelm. ibidem'; and p. 328 (Rentale; Pensiones), 'De ecclesia de Mekyl Benton nichil, quia assignatur fratribus nostris studentibus in Oxonia, tamen reddere solebat x^{s}.'

[4] Warden c. 1389–1404. He seems to have owed money to his successor. [5] Skirlaw's legacy £20, six fellows or ex-fellows £3 4*s.* 1*d.*

[6] Comp. 1405–6. 'Item in reparacione facta circa capellam primo per custodem et postea per dominum Stephanum [Howden] ut patet per parcellas in papiris eorundem xxxiij^{li} xiij^{s}.'

[7] This should be lxxvj^{li} j^{d}; probably the calculator has misplaced an x.

ADDENDA.

My Introduction was beyond the possibility of alteration when I paid a flying visit to Durham and was agreeably surprised at learning from Dr. Greenwell that the whole of the title deeds of the Oxford site acquired by Richard de Hoton and his successors were still extant in the Treasury. The collection (1ma 5te Ebor.) consists of fifty-two documents, including several duplicates, nearly all of which are in splendid preservation and retain their seals; among these are excellent impressions of the seals of Godstow (see p. 7, no. 1), St. Frideswide's (p. 7, no. 3), Oseney (p. 11, n. 35), the Hospital of St. John near the East Gate, the Parish of St. Mary Magdalen, and the Deanery of Oxford; these form my frontispiece. All the documents which I cited in support of the statement of Graystanes are in this collection, except the petition of c. 1300 (p. 8); but Stevenson has misdated the warrant (p. 7, no. 2), which is really of 17 Edw. II (132$\frac{3}{4}$), and his summary of the Inquisition of 1291 (p. 7, no. 4) is not very correct; the real date is 3 April, 1292. However, I am now able with less reluctance to postpone the investigation of the question of the site, as I find that my short account is confirmed as far as it goes.

I discovered also that a few documents relating to the internal affairs of the College were unfortunately misplaced in the sixteenth century by being classed with the title deeds of the appropriated rectories. Of these the most valuable is a 'Catalogus librorum pertinencium Collegio Monachorum Dunelm. Oxon.,' which, though undated, is clearly after 1380. It contains the books in B, and about as many more, including several works of the English schoolmen Hales, Burley, &c.; and by corroborating the negative evidence (Introd. p. 10) finally disposes of the tradition about the Aungerville Library in Durham

College. Another deed is endorsed 'Privilegia monachis concessa per academiam Oxon.,' and has the old seals of the University and of the Chancellor.

Two other documents I have decided to insert now, since the second goes far to explain the origin of A, and the first suggests several new ideas as to the position of the Hall early in the fourteenth century. M (no. 52 in 1ma 5te Ebor.) is an undated letter from Gilbert (Elwyk), Prior of the Hall, to G(alfridus de Burdon), Prior of Durham; the circumstances are not given very clearly; but it seems that the Chancellor and his suite were occupying part of the Hall; that the 'socii' refused to subscribe when asked, and moved off to another hostel; that the Chancellor on his return to Oxford wished to regain his rooms, and attempted to claim them by depositing a 'caucio' with the Commissary, the procedure usually employed by a would-be principal of a vacant hall (see Rev. H. Rashdall's Universities of Europe, vol. ii, pp. 464–8). N (no. 10 in 4ta 5te Ebor.) is of little interest in itself, but it is probably a large part, if not the whole, of the 'aggression' on the part of Thomas Ledbury which was resisted by Prior Wessington on behalf of Warden William Ebchester.

M.

Letter, c. 1316.

Venerabili Patri Domino G. Priori Dunullmensi per suos filios Oxonie commorantes.

Venerabili in Christo Patri ac Domino suo Domino G.[1] Priori Ecclesie Dunullmensis sui deuoti filij Oxonie commorantes cum recommendacione humili et deuota obbedienciam reuerenciam et honorem. Inter loca alia solicitudini vestre paterne subiecta, Oxoniam non credimus cordi vestro remocius insidere; et, ut speramus, hiis qui in eius tendunt preiudicium, eo citius et virilius occurretis, quod ibi nomen et memoriale vestrum specialius celebratur. Sane quidam quos non tantum illius loci sed tocius professionis Dunullmensis amicos et defensores habuisse firmiter sperabamus, Cancellarius scilicet et alii qui in eius comitiua nobiscum ante ista tempora morabantur, facti sunt hostes nostri in capite, id modicum quod habemus lete consumere et locum nostrum et gentem tollere machinantes. Huius autem machinacionis et discordie occasio uel materia extat talis. Agente Cancellario cum Archiepiscopo in visitacione sua, expositis que sociis Oxoniensibus[2] inuentis

[1] Geoffrey de Burdon, Prior of Durham 1313–1322; there is an excellent account of him, almost entirely omitted by Wharton, in the Chronicle of his contemporary Robert de Graystanes (Hist. Dun., pp. 95–6).

[2] MS. *Oxon.*, possibly for *Oxonie*; the 'Socii' seem to be other members of the University, the 'comitiva' or suite of the Chancellor, and not the resident monks.

in sumptibus vires nostras excedentibus, deuastacione nostra per Scotos et debitis quibus pro incepcione mea eram multipliciter obligatus, ego Gilbertus[3] supplicaui eis vt nobis condescenderent in expensis ut conuiuere sic possemus, vel curialitatem aliquam eis non grauem facerent pro reparacione domorum, vnde possent facilius domus onera sustineri; deliberatoque usque mane respondit vnus pro omnibus, Prouisum est Cancellario et nobis de hospicio; de domo vestra prout volueritis, poteritis ordinare; sicque recesserunt secum libros et bona Cancellarii asportantes. Cancellarius ergo motus nimium ex predictis, factum aliorum non asserens esse suum, veniens ad villam in principio quadragesime dixit me eum de domo nostra expulisse. Vnde conuenit me in iudicio dicens se spoliatum per me a possessione inhabitandi aulam cum cameris singulis, dormitorio[4] dumtaxat excepto, eo colore quia ipse solus mihi pro aliis sociis loquebatur, et sic alii eo mediante admittebantur. Vnde ex hoc disposicionem camerarum predictarum pretendit se habuisse, et hanc petit sibi iudicialiter reformari. Creditur vero quod si sic fuerit restitutus, alias non poterit faciliter eici, quia iam pro domo nostra sicut pro domo vacante, eo quod dominus, vos scilicet et conventus, non inhabitatis, nec ego sum principalis, exposuit suo Commissario caucionem, vnde si prima via optinuerit, hac secunda via speratur ipsum velle se defendere introductum. Pacem obtulimus suis ut ipsi omnes ad nos redirent pro anno presenti, dum tamen ipse solo uerbo promitteret se non vendicaturum ius ibi inhabitandi ulterius; et minime admiserunt. Quia vero vniversitatis capud est, et oculus Archiepiscopi, nullus audet nobis patrocinari publice in hac parte, vno dumtaxat excepto iuuene gracioso, Magistro Symone de Stanes[5], in iure ciuili inceptore; qui mauult odium Cancellarii sustinere, quam monasterium Dunullmense depressionem uel iacturam, vbi ipse posset occurrere, pateretur. Vnde omnes ei tenemur; et pro omnibus satisfacere vobis honorificum et vtile ecclesie nostre foret. Hec est grossa materia, sed multa circumstant que vobis plenius intimari non poterunt per scripturam; et ideo latorem presencium instruximus, et eum vobis mittimus, pro dictis negociis magis ydoneum non habentes. Ei ergo, si placet, fidem credulam adhibentes, deliberetis

[3] See list of Wardens. It is very probable that the inventory of 1315 (B) marks some reestablishment of the Hall under Elwyk after a period during which it had been disused.

[4] I should suppose that the 'dormitory' was the room over the Buttery (see E, note 24), as it was rather larger than the present Common Room (E, note 27), and nearer to the back premises of the College.

[5] One Simon de Stanes is mentioned in Rymer's Foedera, iv. pp. 582, 589, 590, 606, and in the Calendar of Patent Rolls 1330–4, pp. 479, 510, 513, as having been sent by Edward III in Feb. 133$\frac{3}{4}$ to Bruges to conclude a mercantile treaty with Count Lewis of Flanders: he was rewarded with a gratuity of 50 marks in addition to all his expenses.

cum consilio vestro quomodo hiis et aliis, que vobis ex parte nostra intimabit, poterit obuiari, et ad obuiandum consilium nobis et auxilium transmittatis, aduertentes quod locum tam egregie per vos inchoatum tempore vestro tante desolacioni occumbere, nec vobis in honorem cedere poterit nec ecclesie Dunullmensi. Conseruet vos Altissimus ad ecclesie sue regimen et profectum scolarium et dirigat in honore.

N.

Querela Prioris Studentium, c. 1422.

Querela Prioris Studencium contra W. E. custodem collegii nostri.

Prima querela Prioris Studencium contra Willelmum Ebchestre [6].

Quod contra statuta nostri generalis capituli renuit quod materia litis exorta inter ipsum et graduatos pro ordine incedendi in processionibus esset determinata per patres, sed adimit pocius seculares pro defensione sue cause. *Hoc falsum est* [7].

Quod contra consilium et mandatum Prioris Studencium intrauit processiones diuersas quando per sui subtracionem discordie materias potuit euitasse ad honorem dei et monastice religionis.

Quod vocatus ad capitulum in virtute sacre obediencie nolebat venire, sed citantibus respondebat quod nec ipse nec aliquis confrater suus veniret ad vocacionem prioris, eo quod nullam sibi (ut asseruit) debebat obedienciam. *Verum est* [7].

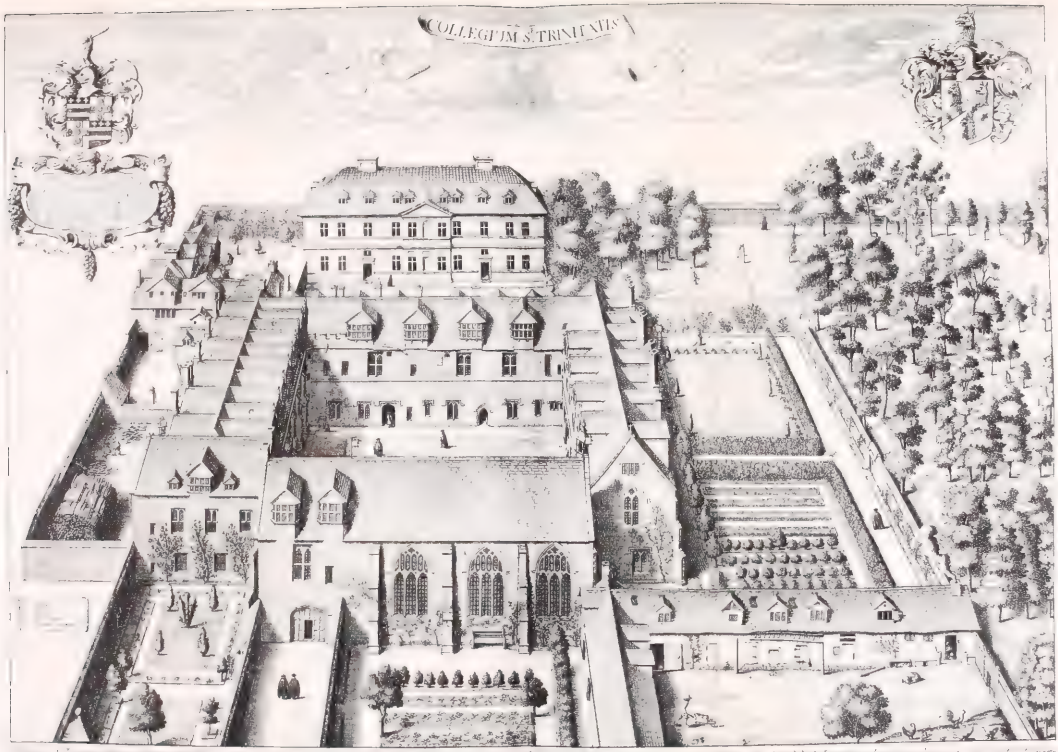
Quod per tractatus beneuolos dicti prioris et amicabiles instancias noluit committere et reseruare determinacionem dicte litis discrecionibus patrum nostri ordinis, sed continue instabat pro declaracione fienda per seculares. *Falsum est* [7].

Querela graduatorum quod contra consuetudinem laudabilem Oxonie antiquitus vsitatam gradum incedendi in processionibus, supra omnes bacallarios sibi vendicat celsiorem. *Falsum est* [7].

Promissio Prioris Studencium.

In causa quo dictus Willelmus renueret obedire religioni propter odium seu rancorem conceptum contra prefatum Priorem, Idem Prior in verbis sacerdocij paratum se reddit ad renunciandum officio Prioratus pro perpetuo, ad effectum quod dictus Willelmus satisfaciat ordini in persona alterius Prioris sibi per dei graciam succedentis; et ad hoc iurauit per sancta dei evangelia.

[6] Warden 1419–1428; see list, and A *passim*.
[7] These remarks are written in a different hand in the margin.


COLLEGIUM S. TRINITATIS

PART II.

PARLIAMENTARY PETITIONS RELATING TO OXFORD

EDITED BY

LUCY TOULMIN SMITH

PART II.

PARLIAMENTARY PETITIONS RELATING TO OXFORD

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PARLIAMENTARY PETITIONS

RELATING TO OXFORD.

In the Public Record Office in London is preserved a collection of documents of high interest, more than 16,500 in number, termed 'Ancient Petitions.' These documents, gathered together from the records of the Chancery and the Exchequer, where they have been anciently kept, have within recent years been arranged and indexed according to the name of the place or person preferring the petition, and are thus made available to the inquirer. They consist for the most part of narrow strips of parchment varying from two to six inches wide, and from twelve to fifteen inches long (though a small proportion fill large sheets), which are numbered and stitched into small books or 'files.' Some of them have suffered from damp, wear and tear, and other ill-usage, rendering them partly illegible, but the greater number of those here printed are in good condition.

The 'Ancient Petitions' represent the link between the governed and the governors, between individuals or communities and their highest representatives, appealed to as the fountain of justice; for they are the very documents sent up by the people to the king, or to the king and his council in parliament, or to the chancellor, during the thirteenth, fourteenth, and fifteenth centuries, preserved and handed down to our time. And thus from their origin they deal with all sorts of subjects of mediæval life, many of which might now seem too local or too personal to be treated in council or in parliament, which were settled at once, or directed into the

way of justice, inquiry, or grant in the courts, by regular legal means. Sometimes it was a private man who had been wrongfully outlawed, and he could not get into the king's law again so as to defend his right without a special pardon. Or it might be that the Thames highway was so choked by the enclosing of spaces for fish-preserves or the building of weirs, &c., that the free passage of merchant-boats was endangered, and a public survey and remedy were desired. Or an ancient town, with its recognized institutions for responsible self-government as in other towns, found its rights infringed, its powers beaten down, or its sources of income taken away while still required to pay its dues to the State. Or a young university, growing into life under the wing of the Church, begged for one privilege after another, as its needs required, either invoking the aid of its neighbour of the secular arm, or, heedless of the injuries done to the town, claiming to stand independently. And not seldom help was appealed for to appease dissensions not only between town and university, but within the university itself.

It is thus apparent that the petition of those centuries was not merely, like the petition to parliament of the present day, an expression of opinion and desire in order to influence particular and general legislation, but was expected to have a definite result in each individual case. The petition might become the bill in parliament which should give birth to the statute or to the private act; but besides these more general or special instances, with which we have not to do here, there was the far more numerous class of cases that required simpler treatment, each on its merits, according to the judgement of the council, or of the officers appointed to examine the petitions. Many of these were sent by the king's writ (or letter) to be inquired into or otherwise dealt with in one of the great offices of state, principally in the Chancery or the Exchequer, sometimes in one of the Courts of Law. Accordingly it will be found that the vast majority of these documents bear on the reverse side a reply or *responsio* by way of endorsement, which was by no means a formality, but was intended to carry the matter to further issue. It was in the nature of a judgement directing what

must be done. By means of these endorsements it is possible in some cases to trace the further action recorded in other sets of documents, such as the Close and Patent Rolls, Inquisitiones ad quod dampnum, &c.

The printed edition of the Rolls of Parliament (in six volumes folio, 1767–1777), from 6 Edward I, 1278, to 19 Henry VII, 1503, includes many of these petitions; Prof. Maitland estimates however that of the 16,000 'no more than some 1,600 were used either at first or at second hand by the editors.' And here two things must be noted in regard to these documents; one, that they are all undated, with rare exceptions[1], so that, again to quote Prof. Maitland, there are 'no means of arranging them save the laborious and hazardous process of taking each one by itself and endeavouring to discover its date from internal evidence.' This hazardous process, rightly indeed so described, has been, perhaps rashly, attempted with the section of the petitions printed in the following pages; in which much assistance however was found in the dates given by the editors of the Rolls of Parliament. The second point is that the greater part of the petitions—at least of those here treated—are in French, and that not infrequently we find the *same* petition on the Parliament Roll in Latin, generally in a shortened form. More often however the full French is there printed.

This again gave valuable help as to dates. For the strips of parchment must have been sent up written in the vernacular French (until the beginning of Henry VI); and in the earlier reigns, as it appears, an abstract in Latin was entered on the record of proceedings in parliament. Yet this was not done, as said before, in every case, and it is difficult without further knowledge to show the reason why. The whole manner of ancient petitioning, who took charge of them, what was done by the receivers and 'triers' of petitions appointed at the beginning of each parliament, how they were treated by the council or the parliament, and how they

[1] In the few cases where a date occurs, it is that, not of the petition itself, but of some other document recited or referred to in it. Dr. S. R. Gardiner tells me that it is the rule not to date Parliamentary Petitions, a practice which gave him much trouble with those of the seventeenth century.

took final effect in various ways, with the growth of different usages from reign to reign, would form the subject of an historic and constitutional study of much value. The foundation of such a treatise has been written by Prof. F. W. Maitland in his Introduction to 'Records of the Parliament holden at Westminster, 33 Edward I, 1305[1],' having careful regard to the customs and rules of petitioning in use at that date. But, though its principal aim is to elucidate the parliamentary usage of Edward I, a flood of light is thrown upon the further study of this difficult subject by the skilful yet cautious focussing of details, and the indications of points where later changes took place. For the purpose of understanding the documents here printed I cannot do better than refer my readers to this masterly essay, principally pp. lv–lxxvi, xcii.

Another peculiarity to be noticed in the early part of the fourteenth century (and perhaps sooner) is that the petitions of the Universities of Oxford and Cambridge were sometimes sent in groups[2] (see for example Nos. 24–34 in 1305, and Nos. 56–62 in 1320). Each petition was separate in itself; the form of the separate parchment (in such of the French Oxford originals as still exist) is quite entire, and the first words of the petition point to its connexion with others; see Nos. 43, 58, 59. The Latin abstract of the whole set entered upon the roll explains this phraseology, and further shows that certainly some, perhaps many, originals are lost. It is tempting to suggest that in each of these groups of petitions so entered we see an incipient statute with its different sections, but the fact that the definite reply to each petition succeeds it on the roll, and was written on the back of the French original, tells a different tale.

In the following pages have been gathered together abstracts or texts of all the known parliamentary petitions

[1] Published in the Rolls Series, 1893. Referred to herein as 'Mem. Parl. 1305.'

[2] For groups of petitions from the burgesses of Cambridge and from the University, in 1330, see Rot. Parl., vol. ii. 47 a, 48 a. I only give the illustrations known to me, there are doubtless others. I had written the above before observing that Prof. Maitland has noticed the same fact; he suggests that all the prayers of such a petitioner were written on one sheet, which, after coming to the hands of the receivers, was cut up into separate strips. I cannot say that the appearance of all those which I had to examine suggested this explanation, but it is probable; the face of No. 43 bears it out (Mem. Parl. 1305; Introduction, p. xci).

relating to or sent up from the burgesses, town, or University, of Oxford, or from different members of the University; places too that have a close connexion with the city, as Oseney, Godstow, Rewley, and the North Hundred, have been included, with a few other petitions touching on matters concerning Oxford, such as those relating to the Thames as a highway thither, &c. The history of the place which they illustrate thus gives a unity to this section of the documents, while a study of that history gives the means, more or less sure, of dating most of them. Half of the number have never been printed in any form (I believe), the other half will be found either in the printed edition of the Rolls of Parliament or in 'Memoranda de Parliamento, 1305,' before referred to; one only, taken from a MS. in the British Museum, and the original of which appears to be lost, is printed by Mr. Henson in Collectanea, vol. i. (Oxford Hist. Soc.). The following table shows the proportions and details of sources:

From 'Ancient Petitions' (Public Record Office), 84[1]—		
Of which are printed in Rolls of Parliament	16	
(Two of these are in duplicate)		
Printed in Mem. de Parliamento, 1305	2	
Now first printed	66	
	—	84
From the Rolls of Parliament[2], not found among 'Ancient Petitions' (but two are also in Mem. Par. 1305)		38
From Mem. de Parliamento, 1305, not found elsewhere . .		11
From Roy. MS. 12 D. xi. (printed in Collectanea, vol. i. p. 12)		1
		134

A few others may be scattered here and there, copied into early collections like the Royal MS. 12 D. xi, and may doubtless have escaped research, but these are all I have been able to find. With a place like Oxford, which has a long and remarkable history, there was hope that some of the known incidents and events might be recognized in the matter of some at least of the 'Ancient Petitions,' and thus lead to placing them in due chronological order. Of a considerable number the dates are indicated with some degree of

[1] Eighty-six 'Ancient Petitions' in all are treated here, but two, as noted, are duplicates. Two or three of them are not, strictly speaking, *petitions*, but, having found their way among those concerning Oxford affairs, they are here included.

[2] Five others are noted under Nos. 52, 108, 114, 120.

certainty; others can only be assigned within the limits of a reign, or to an approximate date, to which either the note of warning (?) or the word *circa* is affixed[1]; no clue at all has been found to the dates of the first four, which are simply placed together unrecognized at the head of the series. It is probable that further research and a more minute knowledge of the local history and records may rectify some of the dates here assigned; more was not possible for the present editor than to place them tentatively.

With these reservations, after the study of every piece, they are placed in the best chronological order attainable[2], only one slight departure being allowed, where it seemed best to place the three documents relating to the law-suit between University Hall and Edmund Francis together (Nos. 101–103).

It was not deemed necessary to print the text of the whole number; a few have been selected (about a third) which seemed of special interest, or were too fragmentary or too short to analyze. The rest are given in abstract by way of calendar, translated from the French of the 'Ancient Petitions,' from the French or Latin of those in the Rolls. But with the endorsements it has often seemed best to print the whole original (the *word* reply or responsio is rarely on the document, though sometimes found; it was adopted as a general indication by the editors of the printed Rolls). A very few have no endorsement or reply. With the bulk of the petitions the endorsement is Latin, which seems to have been the official language, yet we find it not seldom French.

In the notes, references from one petition to another on the same subject may be found useful; and some indications of other records, chiefly on the Patent and Close Rolls[3], will show where a further step in the history of many an incident

[1] The editors of the Rolls of Parliament were uncertain of the dates of many of the petitions which they used, beyond assigning them to the different reigns (and even for this they must have had some guide not now existing); to these they cautiously affixed the words *annis incertis*, which I have preserved in extracting those relating to Oxford.

[2] I rectified the date of No. 91 too late to place it, more truly, near No. 40.

[3] For many of these references I have relied upon the official list of records relating to Oxford in the State Paper Office, contained at the end of vol. iii. of 'Statutes of the Colleges of Oxford,' published in 1853.

may be traced, or where an identification may be tested; but these do not in any way claim to be exhaustive.

The illustrations of the history of Oxford and its neighbourhood found in the subject-matter of these petitions are very diverse. A considerable number deal with matters that were formal, however important at the time, such as the leave to elect an abbess, the confirmation of charters, the numerous requests for licences in mortmain—which show that the Church, as represented by colleges no less than by convents and nunneries, could not touch an acre of land even as a gift or in exchange without the leave of the State, and which often contain facts of much interest—and, lastly, those praying for certain properties to be excepted from Acts of Resumption under Henry VI and Edward IV. Setting aside these, the rest naturally fall into three classes: those relating to the borough of Oxford; those concerning the University and the colleges; and those from the neighbouring religious houses such as Oseney, Godstow, Rewley, St. Frideswide and Littlemore, and St. Bartholomew's Hospital, the men of the North Hundred, &c.

The borough of Oxford, more ancient than the University, dating back before King John, had its mayor and bailiffs who were responsible for 'the king's peace' within its limits, for the arrest of evil-doers, for the holding of pleas in the mayor's court, and for the payment to the Exchequer of the fee-farm of the town (see Nos. 124, 128), which they drew from various local fines and payments due to them. One of the principal sources of the fee-farm was their right to the assize of bread, wine, and ale (Nos. 67, 72, 81), by which they periodically set the prices of all, the size of the loaves of bread, and the quality of the ale, punishing those who broke the assize. Another duty was the oversight of weights and measures (Nos. 55, 98). They claimed to have the same franchises as London, which indeed had been granted in their early charters, and asserted these claims several times (see Nos. 45, 79, 99); at the king's coronation it was the office of the Mayor of Oxford to serve with the Lord Mayor of

London as Butler of the feast (No. 85). From ancient days there had been a merchant gild, of that we do not hear; but we read of the difficulty of the merchants attending to their municipal business at the same time as their own (No. 3), and find allusion to the old laws of 'marchancie' (No. 55). They had had a flourishing company of weavers, but by 1290 these had dwindled to seven, and in 1323 there were none at all left (Nos. 19, 67, 124). The company of cordwainers and corvisors fared better (No. 64). The mischievous effects later of a restrictive statute upon the crafts and industries of the town are shown by a petition in 1455 for freedom in taking apprentices (No. 128), with a curious provision as to apprenticing scholars. The burgesses had their troubles with the paving of and keeping clean the streets (Nos. 32, 77, 81), and the slaughter of beasts and other unhealthy trades (Nos. 33, 86). Some petitions show the gradual loss by the borough of their rights and responsibilities, for instance with the criminal jurisdiction and the assize of bread and ale (Nos. 72, 73, 131); while others show no less clearly the rapidly usurping powers of the University, opposed on the ground of their illegality (Nos. 66, 73, 75, 114).

The difficulty was that two communities, cleric and lay, lived in one place. A large body of turbulent young spirits dwelling together presented elements, especially in those days of hot temper and quick action, apt to break out into misdemeanors, for the control over which the University authorities long looked to the Borough officers to help them. It was their duty to arrest offenders and to imprison and keep them till punishment was adjudged. Several instances of appeal to this duty occur, and an allusion which seems to show that occasionally the bailiffs—maybe tender-hearted, or open to bribery or fear—did not keep their prisoners too carefully (Nos. 25, 46, 57, 81, 83). On the other hand the University resented interference with its rights of punishing scholars (Nos. 10, 62), and were persistent in demanding periodical powers of sending the names of excommunicated persons to the Chancellor of England (Nos. 12, 61, 65, 90).

From the University some of the earliest petitions are a group (in 1305), some of which are already referred to,

seeking to secure improved regulations against immoral persons and malefactors,—one desires that the burgesses should provide a separate prison for women (Nos. 24–27); and concerning regrators, and the better provision of food, including the punishment of brewers and bakers (Nos. 28–32, see also 66). These were followed within a few years by others on similar matters (Nos. 47, 54–62), desiring facilities for trade (No. 56; a writ on the same subject has found its way among them, No. 87), and the sale of fish and other food; and a curious complaint showing that there was some difference customary in the method of selling ale in a city and in a borough (No. 58), the doubt as to which caused much strife. Arms were forbidden to the clerks, and they desired that the lay community also should not wear them (No. 59). Again, not many years later, comes another list of complaints, touching the jurisdiction of the Chancellor over causes, the price of wine, the taking and imprisonment of malefactors; there was much difficulty in keeping the peace, and the Chancellor wished power to commit not only to Bocardo but to the Castle (No. 81), greatly to the trouble of the Sheriff of Oxford, who was Warden of the Castle (No. 84). This was about the time of the 'Stamford schism,' in 1334–35, towards the history of which the 'Ancient Petitions' furnish a fresh document (No. 82). The plague, which impoverished and enfeebled the University, gave them occasion for another complaint against the burgesses (No. 90), and it was about this time that they applied for leave to purchase papal provisions to benefices (No. 88: see also concerning the Statute of Provisors, Nos. 113, 117). Under Richard II the University obtained release from paying their share of subsidy as due from unbeneficed clerks (Nos. 105, 109); but they excited the opposition of the Commons in Parliament, both in 1389 and in 1410, by endeavouring to get their numerous lands and possessions in Oxford exempted from assessment to the tenths and fifteenths (Nos. 111, 112, 115). They obtained this exemption however in 1496 (No. 134). Under Henry IV the Commons also petitioned, on behalf of the counties of Oxford and Berks and the town of Oxford, against an illegal privilege granted to the University regarding the

trial of any of its members guilty of treason, felony, or mahem (No. 114).

The quarrels or disturbances between the University and the burgesses give occasion for several petitions from one side or the other (Nos. 46, 92); between the doctors and students of canon and civil law on the one hand and the Chancellor, proctors, and regents of the University on the other (No. 94); between the Prior of St. Frideswide's and the University about the annual fair in Oxford (No. 110). The disturbances about the time of the 'Stamford schism' appear to be referred to in several numbers (81–84), while a few years earlier the University were engaged in their long suit with the absentee Cardinal de Mota, to which the 'Ancient Petitions' contribute a new, though perhaps not very important, document (No. 76). The bailiffs of the Hundred outside the North gate laid a great complaint against the University and clerks for their wrongful distress and cruel incursion upon them (No. 89); they would submit to the king's officers but not to these unlawful clerks! The great town and gown fight of the feast of St. Scholastica in 1354 may have led to the petition by the town for a special pardon (No. 92), but this requires more examination. Lastly, riotous and murderous proceedings by armed scholars and clerks in the counties of Oxford, Berks, and Bucks, especially by the Irish students or 'wylde Irisshmen,' form the subject of two petitions in 1421 and 1422 (Nos. 119, 120).

About Edward II's reign, of uncertain date, is the well-known petition of the Masters and Scholars for a piece of ground in the parish of St. Peter's in the East on which to build new schools (No. 43). Of the Colleges, Merton is concerned with the larger number as well as with the earliest of these documents; a house in Oxford, land in Kibworth Harcourt, rent in London, Battes Inn in Oxford given by John Wiliot, and lands in Cambridge being the subject of some (Nos. 21, 22, 99, 106, 126), the right of presentation to the church of Emeldon (No. 74), and an attempt to prevent a new ditch being made round the town for its defence (No. 107), being treated in others. Balliol complains, in 1305, of Hugh le Despencer, who hinders the executors of William

Burnel from carrying out his will in favour of that College (No. 35). Property of Oriel College is dealt with in Nos. 71, 125; the great case between Edmund Francis and University Hall touching some of the College endowments gives occasion for three petitions (Nos. 101–3), including that which Mr. Parker says 'is known as the French petition.' A dispute between the Archbishop of York and Queen's Hall, and his right of visitation there, occupy two others (Nos. 104, 116). Acts of resumption touching property of St. Mary's and All Souls are referred to in Nos. 129, 130, 133.

Among several petitions from religious orders, the Minorites desire a piece of ground in Oxford of small value (No. 53), and with the Friar Preachers are anxious not to lose annuities formerly granted to them (Nos. 96, 121); a piece of land given to the latter is described (No. 97). As to the Carmelites, by a vow on Stirling battle-field, Edward II had granted them an annuity which is sadly in arrear (No. 78); while the disputes of the four mendicant orders with the two Universities and with one another have to be settled by arbitration in Parliament in 1366 (No. 93). The petition of the Augustinians in 1421 to be allowed to establish their college on the Candiche is of considerable interest (No. 118).

One early petition, and a second much later, are from the ancient Hospital of St. John, outside the East gate of the town (Nos. 17, 95); another, with an attendant return to the king's mandate by the Chancellor of the University, and the depositions of witnesses on inquest, tell the story of the troubles of the Hospital of St. Bartholomew with their new Master, Peter de Luffenham[1] (Nos. 50–52 and *note*). Coming to St. Frideswide's, two petitions relate to the church of Oakley and Brill, in which the Prior had rights (Nos. 68, 80), and two others to the difficulties experienced by Prior John of Dodeford with his rebellious canons, who, in his absence, ordained John of Wallingford instead; the first of these may give some facts hitherto obscure (Nos. 100, 108). It was the

[1] From the documents recently published by the Oxford City Council relating to this Hospital, it appears that Luffenham quickly followed in the steps of Adam de Weston, Warden in 1312, as a maladministrator. Weston's name appears in our document No. 50, but the words after it are unfortunately illegible.

same Prior John of Dodeford whose fair suffered from the affray and attacks of the scholars (No. 110).

Going outside the town, several points in the history of the rich house of Oseney, with its church of St. George in the Castle (No. 7), are represented, touching loss of wax and rent (No. 16), the rent from Headington manor (No. 23), and two financial transactions for providing the king with money (Nos. 36–39). An extract from the Act of Supply for 1485 shows how the property of the Abbey continued to be drawn upon by the Crown (No. 132). The contemporary convent of Godstow furnishes several early petitions; as to election of an abbess (No. 8), asking for leave to receive gifts of certain lands (Nos. 13, 14), or, through their abbess Mabilla Wafre, and her successor (probably Mabilla Upton), complaining of the encroachments on their rights by Sir John of London (No. 15), and loss of property through Hugh Despencer the father (Nos. 44, 48, 70), whose malpractices were also shown in No. 35. The abbot of Rewley contributes but two petitions, about 1287 and 1321; they refer to the same property, and are of interest as giving an instance how the seizure of alien lands by the Crown affected these great houses, and as containing reference to Peter Gaveston, Earl of Cornwall (Nos. 18, 63). It is curious that no more remains as to the house of Littlemore than a petition, in 1433, that the abbess may exchange certain lands and houses in the county of Cambridge for others in Oxford (No. 123).

The state of the Thames, the great water-way between London and Oxford, especially for food and merchandise, was a source of frequent trouble in early days to the merchants, whose boats were often hindered by the setting up of local uses and dues; we find here four petitions on the subject (Nos. 40–42, 91).

Many more incidental matters of interest may be readily found in these petitions, such as records of personal wrongs (Nos. 5, 6, 20, 75); contributions from Oxford to the royal household (Nos. 124 and *note*, 132); local names in properties (for which see Index), and a few names of some early officers of the town or University (Nos. 66, 109). With this sketch indicative of their contents I now leave them to further study

by the reader. Further openings out of the interest they offer to the student of early legal history must fall to a pen much better versed and able to make use of the rich materials of which here a section is pointed out.

In conclusion, it is a pleasure to thank the Rev. Hastings Rashdall and Mr. Falconer Madan of the Bodleian Library for many kind suggestions.

ANCIENT PETITIONS

To King and Parliament relating to Oxford

In the Thirteenth, Fourteenth, and Fifteenth Centuries.

Note.—*For these first nine documents I have been unable to suggest any dates but those afforded in some cases by the handwriting.*

1.

Anc. Pet., File 260, No. 12953.

It is lawful for a layman to give his debt and action to a poor scholar for his commons, if no one is defrauded thereby.

A nostre seignur le Roi e a son consail monstre lour vniuersite de Oxonford, qe depuis qil ont eu e vse du temps dount memore ne court qe list a chescun homme lai en la dite vniuersite doner sa dette e sa action a vn poure escoler pur ses comunes issint qe meisme cesti lai afferme deuant le Chaunceler par serment qil ne fait pur fausine ne en froude de nuly, queu priuilege e vsage est conferme par nostre seignur le Roy qore est ensemblement oue tous nos autres priuileges; prie le vniuersite qe de ceo priuilege ne soit oste par nuly suggestion.

Endorsement. Si laicus implicet laicum coram Cancellario universitatis locum habet prohibicio Regis.

2.

Anc. Pet., File 65, No. 3225.

Apparently relates to a sum raised for reparation of the walls.

Ad instanciam vniuersitatis Oxonie.

Item pleyse a nostre seignour le Roy comander bref au maire e Borgeis doxenf . . .

a poy tint aunz a moult grant summe dauer. de quoy ne vnt geres en les murs . . .

-mager de clers et de lays iloeqes demoraunz. Ou sur coe assigner auditours de . . .

[*The end of the strip torn off. On the torn end was the endorsement; of the few words that remain only 'petitio' is legible.*]

3.

Anc. Pet., File 133, No. 6614.

Abstract. To the King: the Burgesses and commonalty of Oxford show, that by charter they have cognisance of all manner of pleas, and hold pleas by writ before the Mayor and bailiffs, but if it happen that the Mayor or any of the bailiffs are absent (and they cannot do their merchant's business while a plea is before them) the pleas are stayed, to the great mischief of the suit;—they pray that if either of the bailiffs or the Mayor be ill or absent an alderman may be appointed lieutenant for the holding of pleas. Also pray that they may take felons outside their franchise for felonies done in the town and commit them to their prison of Bocardo.

Fragmentary, the right edge torn.

4.

Anc. Pet., File 132, No. 6561.

To the King and Council: 'qe le' Chancellor of the University; the petitioners seem to be the burgesses—'son poeple' of Oxford; the subject is the assize of bread and ale, weights and measures, but so much of the document is gone that we cannot tell more exactly the contents of this short petition.

Much mutilated.

5.

Anc. Pet., File 97, No. 4813.

John Brown, scholar of Oxford, during absence at Rome has been falsely appealed by a Jewess for a Christian child, and pursued from county to county and outlawed; wherefore on his return, being imprisoned, he prays the king's mercy, as he cannot go to the common law without it.

SIRE ce wus mustre Joan brun escoler de Oxonford, kė cum il fu ale a la Curt de Rome pur se bosungnis e vne Amiĉ (?), Jue de Oxonford, ? Early in Edw. I.

furma vn faus apel sur luy en sa absence pur vn enfaunt ke fu cresteiene, e ele le fit apeler de roberie de Cunte en Cunte dekes au quint Cunte, ou il aparer ne pout pur sa absence, kar il ne fus pas en engeltere, ne rien sauoit de la apel, par quei il fut hutlage e il pus (*puis*) est venu en engeltere. E par la resun de la hutlagrie est il mis en prisun . . . a Oxonford, e par douns de la Jue auaunt dite en prisun est dur mene, ne ne put ester a la commune ley sauns voster grace; pur quei le auaunt dit Jon wus prie Sire, pur la sauuaciun de l'ame voster cher pere, e pur la amour de Seynt Nicolas ki membre il est, voster grace e voster graunt ke il puse ester a la commune ley si cum il ne fu entere kaunt la apel fu fet. Estre ce la Jue ke fit la apel est desuz lauerge sun baroun. Estre ce wus trouerez si deu plese lapel faus, par quey le auaunt dit Jon prie voster grace.

Endorsement. Habet litteras de pardonne utlagarie . . . Mandetur Justiciariis assignatis in partibus illis quod faciant ei Justiciam quia dominus Rex pardonaret . . . vtlagariam . . . petit.

Damaged, especially the endorsement.

6.

Anc. Pet., File 132, No. 6573.

? Early in Edw. I.

Abstract. To the King: John Brun, scholar of Oxford, on behalf of Marie Brun his mother and Geffray Brun his brother; the said Geffray had been twice wrongfully imprisoned in the castle of Haverford;—prays that right be done to Geffray in the Court of Pembroke.

7.

Anc. Pet., File 329, E. 904.

? Temp. Edw. I.

Abstract. To the King and his Council: the Abbot and Convent of Oseneye which are of the king's avowery, showing that from the foundation of their Abbey there has been a free Chapel of St. George in the Castle of Oxford for which the Abbot finds thirteen ministers and two canons for daily service, for whose sustenance divers parcels of tithes were given, under royal confirmation, to the said chantry; and that now certain malicious persons are disturbing them, and gather in the said tithes, so that the Abbot and Convent aforesaid cannot maintain the ministers; they therefore pray the king to receive the tithes in his special protection, so that the chantry may not be withdrawn or minished from default of help. Pray that the king's writ be sent to the Sheriff of Oxford to defend them.

Endorsement. Defendant decimas suas si sibi videtur expedire, et si spolientur prosequantur in Curia christianitatis.

The church of St. George in Oxford Castle was founded in 1074 by Robert D'Oilgi, with a college of secular canons, for whose maintenance he gave the church of St. Mary Magdalen in the suburbs of Oxford, with land and tithes belonging to the same. Oseney Abbey was founded in 1129, and the church and college of St. George were given to it in 1149 (Parker's 'Early History of Oxford,' O. H. S. pp. 206–208, 211). The tithes mentioned in the petition may have been these tithes, though the convent of course possessed others. In the year 1200 a suit was happily ended that had been carried on between the canons of St. Frideswide and of Oseney over the church of St. Mary Magdalen and the tithes of Norham and Beechcroft; and the right of Oseney to the church of St. George itself seems to have been challenged, for we find it recorded that, in 1258, this was officially examined into and confirmed ('Annales de Oseneia,' Rolls Series, pp. 50, 120). No tithes are mentioned here, however.

8.

Anc. Pet., File 225, No. 11249.

The convent of Godstow ask leave to elect a new Abbess.

PLESE a notre tresgracieux seigneur le Roy graunter a voz poeures oratrices la prioresse & couent de votre maison de Godestowe qest de votre fundacion, qe come lour Abbesse de votre dicte maison a dieu soit commandez, quils purront franchement aler a esleccion dune nouelle a nous faire Abbesse, en oeuere de charitee. Oxon. ? Temp. Rich. II.

The house of Godstow was founded in 1138 by Henry I.

9.

Anc. Pet., File 133, No. 6606.

Abstract. To King and Council: the Chancellor, Masters, and Scholars of the University of Oxford pray that their previous charters and other royal muniments may be ratified and confirmed, with the clause *de licet.* ? Temp. Rich. II.

10.

Anc. Pet., File 156, No. 7762.

Abstract. To the King: your University of Oxford (doxenforth), showing that the lay people of the town have bought writs out of the ? Temp. Edw. I.

Chancery against the privileges granted to the University by your progenitors, and have arrested scholars and done other rebellions against it;—pray that letters be granted . . . (illegible) . . . and that henceforth no writ be allowed to pass against their privileges, and that scholars arrested [be put] out of prison and be at the correction of the University according to their statutes.

11.

Anc. Pet., File 132, No. 6579.

? Temp. Edw. I.

Abstract. To the King: the Chancellor and scholars of your University of Oxford pray [confirmation] of their charter of liberties and franchises with clause *de licet* [without] paying fee.

Ista billa concessa fuit per Regem absque fine et feodo.—*At the top, in another hand,* H. II a vous grante.

Damaged.

12.

Anc. Pet., File 132, No. 6581.

? Temp. Edw. I.

Abstract. To the King: the Chancellor and scholars of the University pray that a warrant be directed to the clerk of the hanaper to deliver them without fee [the charter or certificate] of a privilege recently granted, viz. that they may for the next twenty years certify to the Chancellor of England all the names of those excommunicated within the jurisdiction of the Chancellor of Oxford.

Concessa est per Regem.

Compare this with § 6 of the petitions of 14 Edw. II (No. 61). On the Patent Rolls of Edw. III are several writs granted in Chancery for the taking, at the signification of the Chancellor of the University, of persons excommunicated for offences committed under his jurisdiction in Oxford. The terms of these powers were limited to two, three, or five years (Pat. 9 Edw. III, pt. 1, m. 10; 12 Edw. III, pt. 2, m. 8; 14 Edw. III, pt. 2, m. 47; 43 Edw. III, pt. 1, m. 4; 46 Edw. III, m. 17). See also No. 65.

13.

Anc. Pet., File 114, No. 5667.

The Abbess of Godstow desires a licence in mortmain for certain lands proposed to be given to her.

Abbatissa de Godestowe petit graciam domini Regis quod licencia detur Rogero de Wrytele ad dandum eidem Abbatisse quasdam terras

in Heyewrth et Bluntesdene vsque ad unam carucatam terre, quam idem Rogerus de diuersis dominis adquisiuit et nichil de domino rege. ? Temp. Edw. I, after A.D. 1279, and before 1284.

Dugdale ('Monasticon,' iv. 367) has a grant by Abbess Mabilia, 12 Edw. I, referring to the land given by Roger de Wrytele in Broad Bluntesdon.

14.

Anc. Pet., File 114, No. 5660.

The nuns of Godstow desire permission to enclose land near the Forest of Bernwood, assigned to them in lieu of a right of fuel in Shotover Wood.

A NOSTRE seyngnur le Rey priunt ses pouere nonaynes de Godestouwe qe eles puisent enclore vne petite place ioynaunt a la forest de Bernwode qe est tote voide, e qe lour fut assingne pur ij charettez de buche qe eles auoient checun jour a fouail en le bois de Shothore pres de Oxenford, de doun le Rey Henri qe deuz assoille, e ore nul manere de bois ne vnt entour eles a xx lue de voie pur lour viaunde: e de coe priont la grace le Rey. Oxon̄. ? Temp. Edw. I, after A.D. 1279.

Note on the lower margin. Que vocatur Hildesdon̄ continentur cc acr̄ in Stodleye.

Endorsed. Oxon. Impetret prius inquisitionem ad quod dampnum.

15.

Anc. Pet., File 264, No. 13175.

Abstract. To the King and his Council: the nuns of Godstow show that they were enfeoffed by King Henry, father of the present king, of a place called Burgwele near Wodestoke, of which Sir John of London having disseised them the said nuns attested an assise of *novel disseisin* before Sir Henry de Eue; but Sir John would not answer for this without the king's authority as he had entered into the Manor of Bladene, to which this wood belonged, on behalf of the king; thus the assise was delayed, for which they pray remedy. Temp. Edw. I.

At the bottom, disseis. Joh. de London. Oxon. Johes le Wodeward & Witts. le Heyward (Wills. le Messer *being crossed through*).

Abb. Mabill. Wafre. Mabill. de Upton. xl acras bosci in Bladone.

According to the note at foot of the document the 'place' (so in original) called Burgwele consisted of forty acres of wood in Bladone.

By Charter Roll, 51 Hen. III, m. 10, Henry granted to the house of Godstow wood in Burghwell in the forest of Whichwood. Mabilla Wafre was Abbess in 1284 and in 1298, and Mabilla de Upton of the same house became Abbess about 1307 (Dugdale, 'Monasticon,' iv. 359, 361). A document cited by Wood ('Collectanea,' II. p. 16) mentions Mabilla Wafrey as Abbess in 1286. She is mentioned again in petition No. 70.

There may have been several of the name, but it is worth mention that John of London, a mathematician praised by Roger Bacon, was a master of the University of Oxford in 1274. See H. Rashdall, 'Universities of Europe,' vol. ii. pt. II. p. 363 *note.*

16.

Anc. Pet., File 232, No. 11595.

? Soon after 1279, end of Edw. I;

Abstract. To the King and Council: the Abbot and Convent of Oseneye, they have lost much both in wax and rent, to the amount of thirty pounds and more, and pray that certain men (vns gens) who would like to relieve the house may have leave to purchase out of their fee, or another, twenty pounds of wax or [of rent] to sustain the alms and good deeds of the house.

Endorsement. Ad cancellariam.

17.

Anc. Pet., File 326, E. 718.

Temp. Edw. I, after 1279.

Abstract. To the King, pray the Master and brethren of the Hospital of St. John without the east gate of Oxford; that for the souls of his father and mother, founders of the house, and for the queen's soul, he would grant and confirm three gifts, one a messuage with apurtenaunces from Robert of Wynebroke and Juliana his wife to maintain a chaplain in the town of Oxford, another a house from Robert Bodyn, and the third from Agneys Punchard of our fee in the town of Wyleby, purchased after the statute.

Endorsement. Mittetur ad Scaccarium.—Compertum est per recognicionem fratris Henrici quod predicta tenementa perquisita fuerunt post statutum, et ideo post annum sunt Regi forisfactura. Et idcirco nulla fiet eis confirmacio absque nouo dono Regis et speciali precepto eiusdem.

The statute referred to is the Statute of Mortmain, passed 1279. Evidently no licences had been procured for these gifts. This is one of the petitions sent to the Exchequer (E. 718), instead of being replied to in Parliament.

18.

Anc. Pet., File 68, No. 3381.

Abstract. To the King and his council; the Abbot of Realleu without Oxford, shows that he holds the church of Saham in fee ferm from the Abbot of Pyn an alien, having agreed with the Abbot a year before the king seised into his hands the lands and tenements of aliens for four years, and now a summons from the Exchequer demands the said ferm for the King's use; prays a remedy be ordained, for no man knew that the King would lay his hand on the lands and tenements of the aliens, and it would be destruction to his House if he should pay it again. Circa 14 Edw. I, A.D. 1285–1286.

Translation of French Endorsement. [Send to the Exchequer] a Writ of the great seal containing the effect of this petition, that the Abbot's plaint be heard and his acquittance seen, and let inquiry be made if need be into the truth of the matter; and if they find that he paid the said ferm before-hand in good faith, and not to defraud the King, then let him be discharged of what he has so paid.

The contract between the Abbots of Rewley and Pynne in Poictou was made by charter dated at London, May, 1285 (13 Edw. I); it was confirmed by an inspeximus charter of 14 Edw. II, 1321 (Pat. Roll, 14 Edw. II, pt. 1, m. 7). The charter of 1285 is printed by Dugdale, 'Monasticon,' v. 700. Rewley Abbey was founded in 1281 by Edmund, seventh earl of Cornwall, whence the invocation in 1320 of the late earl, Peter de Gaveston, as their 'avowe' or protector. He was beheaded in June, 1312, but many royalists were devoted to his memory, hence the care for his soul as seen in No. 63.

This appears to be an early example of the practice, so frequent in the fourteenth century, of the seizure of the lands of aliens into the King's hands.

19.

Rot. Parl. I, 50 *a*.

The Weavers of Oxford, who were fifteen but now are only seven, pray that they may pay half a mark to the King annually instead of 42*s*.

Telarii Oxonii qui quindecim esse solebant ad reddendum domino Regi 42*s*. per annum, modo non sunt nisi septem, et mendici; petunt quod propter paupertatem eorum reddant domino Regi dimidiam 18 Edw. I, A.D. 1290.

marcam per annum, vel parati sunt reddere domino Regi cartam suam quam habent, et alibi commorari, et domos suas ibidem dimittere.

Responsio. Reddant firmam, vel recedant.

See *note* to No. 67.

20.

Rot. Parl. I, 62 *b*.

Ralph, a clerk, son of Adam de Claghton, imprisoned at Oxford for killing Benedict Attemore in self-defence, prays the King's pardon.

18 Edw. I, A.D. 1290. RADULPHUS filius Ade de Claghton, clericus, qui fuit captus et detentus in prisona Oxonie pro morte Benedicti Attemore, quem idem Radulphus interfecit se defendendo, quia mortem propriam aliter evadere non potuit, sicut inquisitio inde facta testatur, supplicat Domino Regi quod ipse velit ei condonare mortem illam, et sibi concedere pacem suam, et quod stet recto si quis alius versus eum inde loqui voluerit.

Responsum est per Regem, tradatur per ballivos.

21.

Rot. Parl. I, 63 *b*.

Peter de Lakynge asks licence to give a messuage in Oxford to the Warden, &c., of Merton.

18 Edw. I, A.D. 1290. MAGISTER Petrus de Lakynge petit quod ipse dare possit custodi domus et scolaribus de Merton unum mesuagium cum pertinentiis in Oxonia. Unde inquisitio.

Responsio. Habeat Inquisitio secundum novam formam.

22.

Anc. Pet., File 61, No. 3008.

Circa 29 Edw. I, A.D. 1300. *Abstract.* To the King and Council; the Warden and Scholars of the house of Merton pray that Master Henry of Fodryngeye and Master Robert of Candeur may give, and that they may hold, a messuage (vnt mes), six yards and two acres of land, and four marks of rent in the town of Kybburth Harcurt [i. e. they desire a licence in mortmain].

Endorsement. Habeant inquisitionem.

Addressed. Custodi scolaribus et fratribus domus de Merton in Oxonia.

Henry of Fodryngeye is found as Fellow of Merton College in 1284, and died in 1315. Robert of Candeur or Candever was Fellow of the same college in 1297. The licence in accordance with the above petition was granted Feb. 16, 29 Edw. I (Pat. 29 Edw. I, m. 28), but it mentions *eight* messuages instead of *one.* The Close Roll, June 22, 19 Edw. II, 1326, refers to the same endowment.

23.

Rot. Parl. I, No. 161.

The Abbot of Oseney prays that twelve shillings of rent from the Manor of Headington, given to the convent by the Empress Matilda, may be paid as usual.

Ad petitionem Abbatis et Conventus de Oseneye petentium quod cum ipsi et praedecessores sui habuerunt xij solidatas redditus in liberam[1] elemosinam in manerio de Hedindone de dono Matillidis Imperatricis, unde seisiti fuerunt quousque dominus Rex praedictum manerium dedit dominae Reginae quae nunc est, quod Rex praecipere velit quod eis solvantur:— 33 Edw. I, A.D. 1305.

Ita responsum est: coram Rege: Solvantur prout solvi consuevit. Et super hoc habeant breve Thesaurario et baronibus de Scaccario [ut ponantur] in statum quem habuerunt tempore collationis factae dominae reginae.

Printed by Prof. Maitland, p. 37. He also prints after it the document from L. T. R. 'Memoranda of the Exchequer,' 32–33 Edw. I, m. 23, by which the above reply was ordered to be carried into effect, dated March 16, 33 Edw. I.

24.

Maitland, Mem. Parl. 1305, p. 44.

Praying for a separate prison for women in the town.

(66) Ad petitionem Universitatis Oxoniae petentis remedium de hoc quod cum alias concessum fuit per Regem quod separalis prisona [facienda] fuisset pro feminabus in villa Oxoniae ita quod non simul essent cum hominibus, burgenses ejusdem villae nichil inde faciunt:— 33 Edw. I, A.D. 1305.

Ita responsum est: Mandetur eis per breve de Cancellaria quod statim fiat sub gravi forisfactura et inde certificent Regem.

[1] *Perpetuam* in Maitland's copy.

25.

Praying that the burgesses take malefactors promptly on the denunciation of the Chancellor.

(67) Ad petitionem ejusdem Universitatis petentis quod burgenses ejusdem villae prompti sint et parati ad denuntiationem Cancellarii ad capiendum malefactores et impeditores pacis, et quod super hoc mandetur eisdem :—

Ita responsum est: Mandetur [eis] in forma prius facta per breve de Cancellaria, et si ballivi negligentes fuerint, sequatur aliquis pro eis ad Scaccarium [et] fiat ibi justitia.

26.

As to the imprisonment of convicted harlots.

(68) Ad petitionem ejusdem Universitatis petentis remedium de eo quod meretrices convictae coram Cancellario et adjudicatae prisonae [de] gentes ultra peti-pount in parochia S. Clementis de die, et de noctibus redeuntes infra muros et [peccatum[1] hujusmodi conti]nuantes quod dictus Cancellarius ipsas meretrices capere possit et imprisonare sicut illas infra villam :—

Ita responsum [est]: Cum venerint hujusmodi feminae in villam capiantur et imprisonentur per Cancellarium prout est eis concessum prius.

27.

As to providing closure of posterns into the suburbs against men of ill-fame.

(69) Ad petitionem ejusdem Universitatis petentis quod Rex praecipere velit quod pro eo quod homines malae famae receptantur extra muros [reme]dium ordinetur ad posternas clausturas[2] et introitus suburbii contra hujusmodi pericula :—

Ita responsum est: Modo quo [melius] Cancellarius pro Universitate et burgenses et communitas concordare poterint pro hujusmodi clausturis pro securitate villae et Universitatis [Rex] bene permittet.

[1] The words between brackets are uncertain; *peccatum* may possibly be *potestatem*, M.

[2] *postern' claustur'* in MS.

28.

Rot. Parl. I, 163 *a*.

For the restriction of the number of regrators; and to prevent taverners harbouring clerks.

(70) Ad petitionem ejusdem Universitatis petentis remedium quod cum compositio facta sit inter Universitatem et homines ejusdem ville, quod regratia[rii] non debent esse in villa nisi ad numerum xxxii, et burgenses ejusdem ville nunc numerum illum vehementer augmentarunt ad dampnum populi: et etiam quod Rex praecipere velit, quod nullus regratiarius seu tabernarius vinorum permittat quod clerici sedeant seu hospitent noctanter in tabernis suis. 33 Edw. I, A.D. 1305.

Ita responsum est, quoad compositionem, si facta sit inter Universitatem et burgenses et rationabilis fuerit, Rex vult quod observetur. Ad alium articulum, Cancellarius castiget clericos suos prout melius viderit expedire.

Printed by Maitland, p. 45, No. 70.

29.

Maitland, Mem. Parl. 1305, p. 45.

For the punishment of delinquent bakers and brewers by the bailiffs in presence of University officers.

(71) Ad petitionem ejusdem Universitatis petentis remedium, quod ballivi qui custodiunt assisam panis et cervisiae, ad denuntiationem Cancellarii vel aliorum ex parte sua assignatorum in praesentia aliquorum assignatorum ex parte Universitatis, castigent et distringant pistores et braci[atores] quos inveniri continget deliquisse contra assisam:—

Ita responsum est: concessio et ordinatio prius factae teneantur, et si ballivi negligentes fuerint, conquerantur de eis ad Scaccarium.

30.

Maitland, Mem. Parl. 1305, p. 46.

That outsiders may sell their fish and other victuals in the town unimpeded.

(72) Ad petitionem ejusdem Universitatis petentis quod extranei venientes cum pisce et aliis victualibus ad villam Oxoniae [per seipsos]

hujusmodi victualia vendere possint in villa absque impedimento seu advocatione Burgensium, etc.:—

Ita responsum est: Prohibeatur per breve de Cancellaria quod non fiat ibi nec in aliis villis Angliae, set quod permittant hujusmodi mercatores vendere mercimonia sua praedicta per manus proprias dum tamen non vendant ad retallium sub gravi forisfactura, etc. et imprisonamenti etc. in curia Regis ubi sequi voluerint, etc.

A writ of Nov. 7, 1305, to the Mayor and Bailiffs of Oxford, to carry this reply as to outside traders into effect, is printed in Ogle's 'Royal Letters,' &c., p. 17.

31.

Against millers taking too high toll for grinding wheat.

(73) Ad petitionem ejusdem Universitatis petentis remedium de hoc quod molendinarii molendinorum de Oxonia et circa . . . capiunt superflua tolneta pro moltura bladorum, plus quam alibi infra regnum, etc.:—

Ita responsum est: [Mandetur] firmariis molendinorum quod non capiant contra antiquas consuetudines debitas et usitatas, etc.

32.

For the performance of certain articles lapsed through the removal of the Sheriff.

(74) Ad petitionem ejusdem Universitatis petentis quod cum Rex alias per brevia sua clausa mandaverit vicecomiti et aliis ministris [praedictae] villae super certis articulis, videlicet assisa vinorum, villa mundanda et pavanda et porcis a[movendis, qui quidem arti]culi propter remotionem vicecomitis non sunt executi, quod Rex inde ordinet remedium per literas suas patentes, etc.:—

Ita responsum est: Mandetur per breve de Cancellaria sicut alias mandatum fuit, etc.

33.

Maitland, Mem. Parl. 1305, p. 47.

For the working of parchment and skins outside the walls on account of the stench.

(75) Ad petitionem ejusdem Universitatis petentis quod operarii percameni et pellium operentur extra muros propter corruptionem [etc.]:—

[Ita responsum] est: Faciant operarii opera sua prout temporibus retroactis facere consueverunt honestiori modo quo [fieri] poterit.

34.

Anc. Pet., File 276, No. 13760.

(76) A NOSTRE seignur le Roy prient le Chaunceler e le Universete de Oxenford quil voille graunter quil puissent [aver] general attorne en toutz pointz. 33 Edw. I, A.D. 1305.

Endorsement. Fiat duraturus per tres[1] annos.

This is printed by Prof. Maitland ('Memoranda de Parliamento,' 1305, Rolls Series, p. 47), with the Latin form found on the Roll of 1305. It is the last of a group of the eleven foregoing petitions sent up to that Parliament from the University of Oxford, and embodied on the Roll, from Prof. Maitland's print of which they are here given (pp. 44–47, numbered 66–76). Of these eleven only one has thus survived in its French form, and but one (No. 28, Latin) found its way into the old printed edition of the Rolls.

35.

Maitland, Mem. Parl. 1305, p. 161, No. 256.

The executors of William Burnel and scholars of Balliol complain of the obstruction by Hugh le Despencer to carrying out Burnel's will.

AD petitionem executorum testamenti Magistri Willelmi Burnel defuncti et scolarium aulae de Balliolo in Oxonia petentium remedium super eo, quod, cum dictus defunctus legasset executoribus suis domos quas perquisivit in villa Oxoniae ad donandum scolaribus praedictis, si licentiam et assensum Regis ad hoc habere possint, sin autem, quod domos illas venderent et denarios inde provenientes darent dictis scolaribus, etc., Hugo le Despencer dictos executores post mortem dicti Willelmi de domibus illis vi et armis ejecit, impediendo dictam legationem compleri juxta voluntatem testatoris, etc. 33 Edw. I, A.D. 1305.

Ita responsum est: coram Justitiariis de utroque Banco et vocetur Hugo le Despencer. Si tenementa in villa illa sint legabilia et testator legare potuit secundum consuetudinem burgi Oxoniae, fiat breve de Cancellaria Majori et ballivis Oxoniae in forma usitata de hujusmodi legatis.

William Burnel was Dean of Wells from 1292 till his death in 1295. For an account of his gifts to Balliol, completed in 1307, see Wood's

[1] Substituted for *quinque*.

'City of Oxford,' ed. A. Clark, vol. i. p. 157. By letters patent of Jan. 16, and close letter of Nov. 10, 33 Edw. I, Burnel's executors had licence to give, and the Mayor and bailiffs of Oxford were ordered to deliver, the nine shops and messuage bequeathed to the Master and Scholars of Balliol, and on Feb. 1, 34 Ed. I, the Escheator received his order to give them up (Pat. 33 Edw. I, pt. 1, m. 19; Close Roll, 33 Edw. I, m. 2; 34 Edw. I, m. 19). The above petition seems to have been made previously to all these definite steps, and it thus appears there was some obstruction to Burnel's will being carried out. (As to Hugh le Despencer, see *note* to No. 44.) A few years later Edw. II confirmed in detail the title to Burnel's bequest (Pat. 7 Edw. II, pt. 2, m. 2).

36.

Anc. Pet., File 264, No. 13154.

The Abbot and Convent of Oseney pray that the tenth which they owe at Westminster may be allowed them on the king's debt to the Pope, to acquit which they paid the money.

33 Edw. I, A.D. 1305.

A NOSTRE seignur le Roy et a son conseil prient ses chapeleyns le Abbe et le Convent de Oseneye qe les deners qe il deverent sur lour acounte rendu devaunt Sire Johan del Idle[1] et ses compaignouns a Wemoustier de la disme, les queus il ount payes la ou il les avoient aprompte pur aquiter la dette nostre seignur le Roy vers l'Apostoille, lour soient allowez en lavauntdite dette et il renderount suys les fermes qe lour sount baillez.

[1] [*sic*]

Endorsement. Rex vult quod allocentur per breve de Cancellaria.

This petition is printed by Prof. Maitland ('Mem. de Par.' 1305, p. 55), together with the Latin form of the same found on the Parliament Roll of 1305. The Latin may be also repeated here to show how the text sometimes varied:—

Ad petitionem Abbatis et Conventus de Oseneye petentium quod denarii, quos debent super compotum suum de decima redditum coram Johanne de Insula et sociis suis, quos solverunt ubi eos mutuati fuerunt pro debito in quo tenentur domino Papae pro Rege inde acquietando, eis allocentur in eodem debito:—Ita responsum est: Rex vult quod allocentur per breve de Cancellaria.

37.

Maitland, Mem. Parl. 1305, p. 302, No. 467.

33 Edw. I, A.D. 1305.

Abstract. Petition of Abbot and Convent of Oseneye showing that they paid to the Pope for the King £500, which they had borrowed,

and they had an allowance by royal precept on the money which they owed to the King's Exchequer in part satisfaction of the said £500, and for the rest certain ferms were assigned to them. And as those from whom they borrowed could not wait till they raised the money from these ferms they paid it out of the monies from the tenth imposed on the clergy for three years by Pope Boniface VIII, of which they were sub-collectors, deputed by the Bishop of London and Master Bartholomew de Feretino, chief collectors. They pray that this remainder of the £500 so paid may be allowed to them on their account of the said tenth rendered before John de Insula and his companions, that the ferms be taken back into the King's hands, and that they may have letters of indemnity thereon.

Reply. The king wills that what they ask shall be allowed to them. Therefore a writ was ordered from the Chancery to the Exchequer to search the rolls as to the truth of these points. And another from the Chancery to John de Insula and his companions, auditors of the said account, to allow the said arrears upon the aforesaid certificate, but no more. The ferms to be taken into the king's hands, and letters patent of indemnity under the great seal to be given to the Abbot and Convent. *Latin, abstract.*

The petition, of which the above is an abstract, is not found elsewhere than on the Roll printed by Prof. Maitland. See the two next petitions.

38.

Anc. Pet., File 10, No. 479 and No. 481.

Abstract. The Abbot and Convent of Oseney pray the king for a letter under his great seal by which he and his heirs will acquit them and their successors against the Pope and all his ministers of £2,996 17*s.* 8*d.*, from the tenth for the Holy Land, which they paid to the Exchequer. Edw. I or Edw. II.

No. 481 *is nearly a duplicate.* A nostre seignur le Roy prient ses chapeleins le Abbe et le convent de Oseneye q'il voelle graunter sa lettre pur li et pur ses heirs de son graunt seal qe li et ses heirs acqiteront eaux et lour successours vers l'Apostoille et touz ses ministres de MMDCCCC $\overset{\text{XX}}{\text{IIII}}$ XVI*li.* XVII*s.* III*d.* de la dyme grauntee a li en eide de la terre seinte, la quele summe d'argent il payerent a sa Escheqier.

Reply to both verbatim. Cancellarius videat litteras regales quas

habent de indempnitate, et si non sint sufficientes, faciat eis litteras regales de magno sigillo quod Rex et heredes sui teneantur ipsos indempnes conservare. Et alie littere dampnentur et custodiantur in Thesauro.—Irrotulatur.

39.

Anc. Pet., File 10, No. 480.

? Edw. I or Edw. II.

Abstract. The Abbot and Convent of Oseney to the king; that, as they were the collectors of the tenths granted by the Pope in aid of the Holy Land, they paid to the king's Exchequer £2,996 17*s.* 8*d.*, for which they need a good acquittance for safety hereafter; they pray for God's sake he will give them a detailed acquittance [as in the petition above], for that which they have only mentions the king, and not his heirs.

Reply is the same as the last.

These two petitions, Nos. 38 and 39, with a notice of the difference in No. 481, are printed in Rot. Parl. I. p. 475 *b.* (No. 481 has 3*d.* instead of 8*d.* in the sum of money, apparently a clerical error, the v in viii having been omitted.) The words added in the last lines of No. 481 give important precision to the statement made.

Though they do not appear to refer to the same transaction as Nos. 36 and 37, the four petitions illustrate one another as well as the methods of finance at this period.

40.

Anc. Pet., File 86, No. 4300.

The men of Oxford and of the county pray that the gors obstructing the Thames may be removed.

? Temp. Edw. I or Edw. II.

A NOSTRE seigneur le Roy et a soen conseil prient ses homes de Oxoneford et de tut le Counte, q'il pleyse faire oster les Gors qe sunt si nusaunz en Thamise entre Loundres et Oxoneford qe vitaille et marchandise i puisse venir cum il soleit en temps nostre seigneur le Roy qe mort est, qe deux assoille, pur graunt profit le Roy et de soen poeple.

Endorsement. Assignentur Justiciarii in Cancellaria ad inquirendum super hiis nocumentis et ad supervidendum gurgites, etc., et ad amouendum nocumenta, ita quod victualia transire poterunt absque impedimento, sicut pro vtilitate Regis et populi fuerit facienda.

From the terms of this petition (and its short simplicity), it seems to have preceded by some years the next following. The increasing obstruc-

tions to navigation of the Thames were often complained of, see Nos. 41, 42, 91; till those made since Edw. I's time were ordered to be abated and quelled down by Statute 3 of 25 Edw. III, § 4. *Gors*, *gortz*, were dams inclosing or narrowing the waters in order to build mills or make fish preserves, and were often a source of profit. (No. 91 should come here.)

41.

Anc. Pet., File 10, No. 477.

Abstract. To the King and Council: The merchants who frequent (hauntent) the water between London and Oxford show, that their common passage by the Thames with their ships of merchandise is obstructed by gors, locks, and mills often to their great peril, and the king's damage. And whereas the king was used to assign justices every seven years to survey the dangers of the water, but they have not done it for twenty years past,—the commonalty pray that special justices may be appointed to survey the obstructions and to inquire into the accidents (perils) that have happened in consequence. 'E sire nous entendoms qe en vostre domisday serra troue la manere coment le ewe de Tamise doit auer son cours sanz desturbance.' Also they complain of fishermen with nets so fine (estraytz) that they entirely destroy the fry of the fish, in impoverishment of the people. ? Edw. I or Edw. II.

Endorsement. Coram toto consilio. Assignentur ad hoc Justiciarii dominus W. de Bereford et dominus R. de Heyham.

42.

Anc. Pet., File 10, No. 474.

Abstract. To the King and Council: the merchants who frequent the water between London and Oxford show, that their common passage by the Thames with their ships of merchandise is obstructed by gors, locks, and mills, often to their great peril, also by fishers who, with their nets beyond the assise, take more small fish than they ought by right. And whereas the king was used to assign justices every seven years to survey the dangers of the water, but it had not been done for twenty years past, and on prayer of the commonalty William de Bereford and Sir Roger de Hegham were appointed, but were too much occupied in the king's service to undertake it,—they pray that others may be appointed who can undertake it, suggesting three by name. ? Edw. I or Edw. II, 'annis incertis.'

Reply. A patent like that made to Bereford and Hegham shall be made out to Bereford and three others (named), so that he may act with two or one. *Latin, abstract.*

Printed in Rot. Parl. I. 475 *a*.

43.

Anc. Pet., File 10, No. 475.

The Masters and Scholars ask leave to have a piece of land in St. Peters in the East, near Smithgate, on which to build new schools.

Edw. II. § Dautre part prient les mestres et les escolers d'Oxenford, qe nostre seigneor le Roi leur voille graunter une veaude place q'est en la paroche de Seint Pere en le Est, en Oxenford, joinant a les murs dedeintz Smethegate, qe content xii perches en longure et ii perches en laure, ou il pussent faire escoles; qar les escoles qe la sunt, ne suffisent point a les mestres q'il i sount; et si crest la multitude des mestres et des escolers de jour en jour.

Endorsement. Sequatur breve de Cancellaria si sit ad dampnum, etc. Et Thesaurarius per Consilium Regis faciat quod viderit ad commodum Regis.

Printed in Rot. Parl. I. 475 *a*, under 'annis incertis Edw. I and II.' It is there given as a fragment, but the slip of the 'Ancient Petition' is quite entire, beginning as above, with a flourish and a capital D, the upper margin being very narrow. The commencement shows that it was probably one of a group of petitions presented together.

44.

Anc. Pet., File 50, No. 2473.

Temp. Edw. II. *Abstract.* To the King and Council: the Abbess of Godstowe showing, that the king's ancestors had granted to the house of Godstowe by charter the cow-house of Panchehale with separate pasture, that Sir Hugh le Despencer, père, when warden of the king's forest on this side Trent seized the pasture into the king's hand without cause; it was then surveyed at a low value for Sir Hugh and delivered to Sir John de Handlo his sub-warden, to be held at the king's will. From which separate pasture, which is called Lacchemede, her predecessor was thus wrongfully ousted in the time of King Edward the father [i. e. Edw. I] and prays remedy.

Endorsement. Sequatur ad communem legem.

Hugh le Despencer, senior, was born in 1262, and was thus ten years

old at the accession of Edw. I; he was banished with his son in 1321 (14 Edw. II), and died in 1326. As he is not spoken of as 'the late,' this petition may be dated before 1326. See another complaint against him, No. 70. Sir John de Handlo, his sub-warden of the forests this side Trent, was himself Warden of Shotover forest in 1331. Wood's 'City of Oxford,' i. 275 (Oxford Hist. Soc.).

45.

Anc. Pet., File 200, No. 9994.

Abstract. To the King and Council: the Burgesses of Oxford show that by their charters they are of the same franchises, customs, and laws as the citizens of London, quit of toll and all other dues by land and water throughout the king's realm (par tot le power le Rois), which charters were confirmed by King Edward, father to the present king;—pray the king to confirm them, and to declare distinctly and in express words the points in them that are general, so that they can be shown to the Council or in Parliament. The said points were defined and examined by Sire William de Ayrmynne and Sire Johan de Foxlee, but have been delayed. And if none of the points be rejected [pray] that they may henceforth use them. ? Circa 8 Edw. II A.D. 1314 and 1315.

Endorsement. Agreed by the Council that those who ask that their charters may be confirmed without new clauses shall come to the Chancery and show their charters, and they will be confirmed in the due manner, by fine, &c.; and, as to the new liberties, nothing at present. *Latin, abstract.*

Sir William de Ayrmynne was a clerk who several times appears on the Rolls of Parliament from 1306 to 1315 in positions of trust; he was made Chancellor by Edw. II during his absence in 1320 (Rymer, iii. 839). John de Foxle (or Foxley), according to the Rolls, served his country from 1306 till his death in 1324; he was Baron of the Exchequer in 1308, and one of the King's Justices in 1315 and 1321. He had a grandson of the same name, also named on the Rolls, who died 1377. For some of these facts see Prof. M. Burrows' 'Hist. of the Family of Brocas of Beaurepaire, &c.,' pp. 282, 284. See No. 79, on the subject of this petition.

46.

Anc. Pet., File 169, No. 8444.

Abstract. To the King and Council: the Chancellor and scholars of the University. Whereas there was formerly a quarrel between the Chancellor, &c., on one hand, and the burgesses of the town on the other, which was brought before Parliament after Easter in the tenth year of King Edward, father of the present king, and a composi- 8 Edw. II, A.D. 1314 and 1315.

tion was made,—they pray that the said composition, which is still in the Treasury, may be sealed.

And as many debates happen with men of ill fame who flee into franchises outside the walls of the town and then re-enter and continue their evil ways, and laymen outside the walls have no power to take them, the said Chancellor, &c. pray that the mayor and bailiffs be required to pursue and take them in the suburbs and chastise them. [The third clause is nearly illegible; from some of the words readable, 'pur les prises le Roi qe se fuist en la dite vile . . . de sa universite de Oxenford qil sesa . . .,' it appears to be the same petition the Latin enrolment of which is found separately in Rot. Parl. I. 327 *b*, see No. 47.]

Endorsement. The Mayor of Oxford is enjoined to have a ratification before the council next Monday. To the second petition is replied, that the mayor and bailiffs are ordered to pursue and arrest transgressors in the town and suburbs within and without the liberties, in order to maintain the peace of the University, as often as is necessary, when [they are informed] by the chancellor and proctor. [Endorsement on the third clause illegible.] *Latin, abstract.*

We can date this document by the second clause, the matter of which is found as a substantive petition (in Latin, the one above is French), with the same reply, printed in Rot. Parl. I. p. 327 *a*, under the year 8 Edw. II.

In 18 Edw. I (1290) three copies of a roll containing an agreement of peace between the University and the burgesses were ordered to be made, one each for the King, for the Chancellor of the University, and for the Mayor (Rot. Parl. I. 33); perhaps that agreement referred to the quarrel of 10 Edward I (1282), the 'composition' of which, now thirty-three years after it was made, still remained unsealed in the Treasury.

47.

Rot. Parl. I. 327 *b*.

Against the royal dues on victuals coming to the city.

8 Edw. II, A.D. 1314 and 1315.

ITEM, quia plures homines pro prisis Regis ad ducendum victualia usque civitatem predictam se elongant, supplicant prefati Cancellarius et scolares, quod hujusmodi prise super ipsos in eadem villa faciende omnino cessent, etc.

Responsum est per ordinationes.

The above on the printed Roll follows on as a second petition to that on p. 327 *a*, mentioned in the last note.

48.

Anc. Pet., File 280, No. 13973.

Abstract. To the King pray the Abbess and Convent of Godstowe: showing that they owe the foundation of their house to the king's ancestors, who granted them the tenth of everything that encreased in the manor and in the park of Woodstock, whereby they have always had foals from the king's mares; but the present warden withholds that tithe, and only delivers every year one of the weakest foals, and there remain therefore, for almost these two years past, fourteen foals which are not tithed. Whereof they pray remedy, and that the arrears be given up to them according to the law of holy church. 8 Edw. II, A.D. 1314 and 1315.

Endorsement. Videtur consilio quod si huiusmodi decima debeatur et moniales sint in possessione recipiendi decimam illam, quod mandandum est ballivo Regis quod solvat decimam debitam annuatim et etiam si quid a retro fuerit inde reddi faciat.

Original in French; a Latin copy is printed Rot. Parl. I. 331 *b.* Was the 'present Warden' Despencer? Cf. Nos. 44 and 70.

49.

Rot. Parl. I. 318 *a.*

Thomas Danvers, late Sheriff of Oxford and Berks, says he has not received £20 asked for in respect of Oxford Castle on his account sent into the Exchequer.

Ad petitionem Thome Danvers, nuper Vicecomitis Oxon' et Berk', suggerentis Regi, quod cum ipse super compoto suo coram Thesaurario et baronibus Regis de Scaccario allocationem viginti libri petivisset, pro diversis proficuis et aisiamentis domorum in Castro Oxon', et de districtionibus factis pro debitis Regis, et aliis proficuis percipiendis pro dicta custodia, in auxilium firme; unde nichil percepit, pro eo quod Castrum predictum toto tempore suo fuit in custodia Ricardi Damory ex commissione Regis: unde petit, etc. 8 Edw. II, A.D. 1314 and 1315.

Responsum est per Consilium: Mandetur Thesaurario et baronibus de Scaccario, quod audita querela Thome super contentis in petitione, sibi faciant quod justum fuerit, etc.

50.

Anc. Pet., File 297, No. 14813.

Circa 9 Edw. II, A.D. 1315.

Abstract. To the King and to his Chancellor Sir John de Sendale: the poor brethren of the Hospital of St. Bartholomew near Oxford complain, with great grievances against Sir Peter de Luffenham:—

First. Whereas when William of Westbury, formerly their master, had to receive the king's alms granted to them issuing from the town of Oxford, he received it in presence of one or two brethren; assembling the brethren in their chapel, he shared the alms among them all by equal (owel) portions, retaining nothing for himself:—the said Peter de Luffenham, to whom the wardenship is now delivered, receives the money in the absence of any brethren, and spends it how he pleases, retaining for himself the portions of two brethren, for his chapeleyn the same, and for his clerk, his valet, and his palfrey each the portion of a brother,—against all previous custom of the said house. *Second.* The brethren hitherto in winter-time have been used to thresh their corn, sow their lands, feed their cattle, and cover their houses, &c.; now, the said Peter [has taken the corn into] his own garner, to his own profit; and, the brethren taking the corn against his will and sharing it, he thereupon made plaint to the Exchequer, to the damage of our house, so that the brethren can neither sow their lands, pasture their beasts, nor cover their houses, and he has sent away our carters (chariers) and other servants. *Third.* Whereas our former masters were used every week to visit, comfort, and counsel the sick brethren, the said Peter de Luffenham will not come near them, but in great despite disturbs them. Out of the dove-cote common to all the brethren with three or four dozen pigeons (pyiouns) he orders to every brother one (vyn) pyioun and takes the rest for himself. *Fourth.* The bailiffs of Oxford were bound to the brethren in £40 of arrears for the past year, in the absence [of any brethren] he received the money, spent it on wine or as he pleased, and the bailiffs gave Peter the tally. The brethren pray that a remedy be ordained before the house be quite impoverished, for it grows daily worse and worse, and worse than ever was. Adam de Weston [MS. very bad here] . . . Brother William de Westbury in his life-time was bound to Sir Geffery de Castre in £7, and assigned certain goods to make payment; the said Peter has appropriated the said goods to himself,—whereof the brethren pray remedy, for they have not wherewith to make payment.

(*Injured by damp,* &c., *part nearly illegible.*)

51.

Anc. Pet., File 297, No. 14814.

Abstract. To the King Edward [II]: the Chancellor of the University of Oxford and the Master of the Hospital of St. John of the same, acknowledging the king's mandate, under letters patent dated Doncaster, December 19, ninth year of reign, to inquire into the grievances of the brethren and sisters of the Hospital of St. Bartholomew extra Oxon against Peter de Luffenham their warden, and empowering them to take testimony,—stating that they had taken the inquisition. Dated Oxford on the day of St. Hilary the bishop. 9 Edw. II, Jan. 13, 1315.

Endorsement. To our lord the King of England: by the Chancellor of the University of Oxford, and the Master of the Hospital of St. John, of the same. *Latin.*

52.

Anc. Pet., File 297, No. 14815.

Abstract. The Depositions of the witnesses in the aforesaid inquisition.

1. Petrus de Luffenham, custos Hospitalis Sancti Bartholomei. Acknowledges that he received money for the hospital twice, as said, and retained four portions, but denies the second article, except that he acted for better care [of the harvest]; he had not placed it in his own house. He sent away the servants because it seemed to him that two were sufficient. Asked why he did not visit the sick, he said he had visited them as far as he could; that he had retained the pigeons by consent of the brothers as his portion. On the fourth point, asked why he received £10 without the consent of the brethren, he said he was ready to give an account of what he had received, and that the brethren had received some, and had forbidden the bailiffs to deliver it to the warden, and that the brethren have the tallies of the said portion themselves. He had received some goods from his predecessors and was ready to account for them. 9 Edw. II, A.D. 1315.

2. Brethren of the house: William de Frileford answers to six points seriatim, the last relating to Geoffry de Caustre. All the brethren being sworn with one consent also make short answers,—that William of Westbury who was master and lately died had leave from all the brethren to make a will, and they say that the money which brother William borrowed from Geoffry de Caustre was borrowed for his own necessity. Other replies relate to the alms or money

given to healthy and to leper brethren, and what they were accustomed to receive.

Endorsement. Inquisitio facta de magistro et fratribus hospitalis sancti Bartholomei extra Oxoniam per Cancellarium Vniversitatis Oxonie et magistrum Hospitalis Sancti Johannis de Oxonia de precepto domini Regis.

[*Latin, irregular hand, partly illegible.*]

The troubles of the Hospital of St. Bartholomew with Sir Peter de Luffenham apparently lasted several years; in the 14 Edw. II, A.D. 1320, he himself petitioned with regard to the Hospital, and was told to go before the Chancellor, 'who by reason of his office has to do with the state of hospitals' (Rot. Parl. I. 380 *b*). It will be noticed that the brethren had been aware of this, and addressed themselves to the King *and* his Chancellor. Sir John de Sendale was made Chancellor, Sept. 26, 1314, and was Treasurer from Nov. 1317 till he died, 1319 (Stubbs, ii. 368).

53.

Anc. Pet., File 86, No. 4299.

The Friars Minor ask for a licence in mortmain for a place in Oxford worth 2s. a year.

? 9 Edw. II, A.D. 1315. A NOSTRE seigneur le Roi si luy plest prient les poures freres menours de Oxenford qil lour voille graunter la mortificacioun de vne place en Oxenford qe ne vaut qe deux souz par an, auxicome retorne est en la Chauncellrie, et qe est a nuly preiudice.

Endorsement. Soit veue l'enqueste et le Roi en dirra sa volunte.—Coram Rege.—Lymberghe.

54.

Anc. Pet., File 86, No. 4297.

? Temp. Edw. II. *Abstract.* To the King: his clerks of his University of Oxford; as the University was founded by the bounty of the kings of England alone, for the common profit of the people, and the king is therefore their only refuge and help in trouble, they pray. Inprimis, that inquests for death and maiming should be impartially taken, the matter touching clerks and their servants on one hand, 'foreigners' and denizens of the city on the other. *A note added to end of this paragraph*:—'Soient appellez les Burgeis et monstrent [leur chartres].'

The next item dealt with a grievance about false measures and weights. (*Fragment only, a large piece gone. Endorsement partly gone.*)

This petition was probably sent with the next.

55.

Anc. Pet., File 86, No. 4298.

Abstract. *Begins* 'Item monstrent ses auantditz clers' that the 'marchancie' provides that measures must agree with the king's measures and be marked with the town mark, but the wine and ale measures of Oxford are out of assise and are not marked except by the marks of the four aldermen, each in his ward, whereby they favour their neighbours; and they pray the king to grant that the Chancellor may at the proper hour affix his mark on the measures jointly either with the aldermen or with those who ought to mark them: 'for the commune of the clerks is greater than the commune of the town.' They pray also that the measures may be of the same form as those of London, and that weights may be sealed. Circa 9 or 14 Edw. II, A.D. 1315 or 1320.

Endorsement. Respondu est par la commune ordenaunce. Respondu est par comen acord et assent en parlement. Coram Rege et magno consilio. Lymberghe.

Adam de Lymbergh, clerk, who signed, perhaps wrote, the endorsement, was one of the Receivers of Petitions to the Parliaments of 1315 and 1320. His name is attached also to another of these Oxford petitions (No. 53). By Pat. 1 Edw. III (pt. 1, m. 27), the assise of weights and measures was granted to the Chancellor and Mayor together, during pleasure; the following year (Pat. 2 Edw. III, pt. 1, m. 15) this was continued, and if the Mayor were not present after due warning to supervise them the Chancellor should do it alone. Another patent was issued 20 Edw. III (pt. 1, m. 30, *dorso*) to the same effect.

56.

Rot. Parl. I. 373.

The University pray that stranger merchants coming to the town may be allowed to sell their goods free from obstruction by the burgesses, and that they may have fixed places where they may sell.

§ 1. Ad petitionem Cancellarii, magistrorum et scolarium Universitatis Oxon, petentium remedium, quod cum dominus Rex per 14 Edw. II, A.D. 1320.

diversa brevia sua precepisset, quod mercatores extranei qui veniunt ad villam Oxon possint libere vendere bona sua per proprias manus, absque impedimento inde faciendo per burgenses ejusdem ville; et similiter quod ipsi mercatores extranei habeant certa loca per se ubi mercimonia sua vendere possint, de quibus brevibus nulla fit executio post ultimum Parliamentum ultimo apud Eboracum convocatum, ad dampnum, etc. Supplicant dicti Cancellarius et magistri et scolares, quod ipsi possint assignare, in defectum dictorum maioris et ballivorum, loca et diversitatem locorum pro venditione, etc. facienda;

Ita responsum est: Quia processus super contentis in petitione incoatur in Cancellaria ponatur ista petitio in eadem placea, et ibi teneatur inde processus usque decisionem negocii, etc.

57.

Against malefactors imprisoned by the Chancellor escaping by connivance of the bailiffs.

§ 2. Ad petitionem eorundem, petencium remedium de eo, quod aliqui malefactores et pacis Regis perturbatores in Universitate Oxonie sint imprisonati per eundem Cancellarium, sepe evenit quod hujusmodi imprisonati sunt evasi per falsitatem et negligenciam ballivorum: unde dicti scolares petunt remedium, etc.

Ita responsum est: Mandetur [? maiori] Oxon' quod non permittant hujusmodi imprisonatos deliberari nisi modo debito et consueto, presertim cum hujusmodi deliberacio sit ad minus per bonam custodiam domini Regis, et fiat processus versus ballivos si necesse fuerit.

58.

§ 3. Item ad petitionem eorundem, petentium remedium de eo, quod cervisia vendi debet in villa Oxonie sicut in civitate vel in burgo, et super hoc breve suum mandaverit vicecomiti Oxon' et idem vicecomes retornum suum fecerit maiori et ballivis, etc., qui nichil inde hactenus facere curaverunt, etc.

Ita responsum est: Habeant breve sicut alias, et postmodum prosequantur ulterius negocium, ut ponatur coram rege si necesse fuerit.

(*The French original of* § 3 *in* '*Ancient Petitions*,' *File* 3, *No.* 132, *is longer; here abstracted.*)

Begins 'Item monstrent vos avantditz clers.' The clerks show—that often great strife arises between the University and laymen of the

town of Oxford over the sale of ale, as to whether it ought to be sold in the town as in a city or as in a borough; that the king in his charter to the burgesses declared the article, and by the sheriff's writ the bailiffs of Oxford were ordered to publish and proclaim that the sale of ale thenceforward should be made in the town as in a borough; but the bailiffs have done nothing. The said clerks pray remedy of this grievance.

59.

Rot. Parl. I. 373.

§ 4. Ad petitionem eorundem querentium quod cum ordinatum sit per Cancellarium quod nullus clericus in eadem universitate deferat arma in eadem villa, etc., petunt quod illud idem observetur de laicis in eadem villa, etc. 14 Edw. II, A.D. 1320.

Ita responsum est: Habeant breve Maiori quod inhibeat ex parte Regis ne aliquis laicus preter ministros ville deferat arma in eadem villa.

(*French original of* § 4 *in* '*Ancient Petitions*,' *File* 3, *No.* 133, *here abstracted.*)

Begins 'Item monstrent ses ditz clers.' The said clerks show—whereas there are two communities in Oxford, one of the clerks, the other of the lay, the Chancellor has forbidden the clerks on pain of imprisonment or excommunication to bear arms in the town, but the laymen do so, killing and wounding unarmed scholars, and for the wrongs committed by them are too often acquitted by their neighbours;—pray that men taken for such offences—foreigners or denizens—may be tried before Justices, and that all, clerks and lay, be forbidden to wear arms, and that in default of the Mayor the Chancellor may punish where need may be.

Endorsement. Let them have a writ to the Mayor that he forbid any layman except town officials to wear arms in the town.

60.

Rot. Parl. I. 373.

Against the traders of the town complaining against strangers who come selling victuals, &c., to the convenience of the scholars.

§ 5. Item ad petitionem eorundem petentium remedium de eo, quod cum extranei venerint ad villam Oxonie cum victualibus, etc., ad maximum commodum scolarium ibidem commorancium, mercatores 14 Edw. II, A.D. 1320.

ejusdem ville fingunt querelas versus eosdem extraneos quo minus iidem extranei veniunt ad dictam villam cum mercandisis et victualibus, etc., in maximum detrimentum ville et dampnum scolarium ;

Ita responsum est : Habeant breve quod de cetero caveant, nec talia faciant seu attemptent, etc.

61.

That the Chancellor's certificate of excommunications be accepted in the King's court.

§ 6. Item ad petitionem eorundem, petentium quod certificatio Cancellarii Oxonie de excommunicatis infra jurisdictionem ejusdem universitatis acceptetur in Curiam domini Regis, et quod captiones super hujusmodi certificationes concedantur, etc.

Ita responsum est : Quod fiat sicut antiquitus fieri consuevit.

62.

Against the burgesses maliciously indicting scholars and masters.

§ 7. Item ad querelam eorundem, de eo quod burgenses et ballivi Oxonie frequenter indictari faciant scolares et magistros magni status maliciose : unde petunt remedium ;

Responsum est : Si quis se senserit lesum sequatur in Cancellariam, quia remedium ordinatur ibi sufficiens in hoc casu.

63.

Anc. Pet., File 137, No. 6801.

14 Edw. II, A. D. 1320.

Abstract. To the King : the Abbot and Convent of Rewley (Real lu) near Oxford pray, for the soul of sire Peter de Gaueston formerly Earl of Cornwaille, their avowe, that he will hold good and confirm by charter the contract and perpetual ferm that they have made with the Abbot and Convent of Pyn in Poytou of the church of Saham. What they may have beyond the ferm (enferme) of the said church may aid in the support of Sir Peter's chaplain.

Endorsed. Soit veue la chartre et confermee en due manere.

The confirmation here asked for was made by inspeximus charter, which is found on the Patent Roll, 14 Edw. II, pt. 1, m. 7. See *note* to No. 18.

64.

Anc. Pet., File 133, No. 6607.

Abstract. The cordwainers and corvisers of Oxford pray the king to confirm their charter from King Henry [III] and to grant further that they may use their franchises in the suburbs of the town, with a specific declaration that none shall cut leather tanned or of Cordova, nor sell them in the town nor suburbs unless he be of their gild. Temp. Edw. II, circa 1321 or 1322.

Endorsement. Prosequantur versus Cancellariam.

See special Royal writs to the Bailiffs enforcing the above privileges of the gild, printed by Ogle, 'Royal Letters,' &c., pp. 28, 29.

65.

Anc. Pet., File 132, No. 6594.

Letters patent granting for five years the privilege that the Chancellor of the University may certify to the Chancellor of England the names of persons excommunicated for offences in Oxford, so that they may be taken for due punishment.

Between 1 and 20 Edw. II.

EDWARDUS dei gratia Rex Anglie et Francie et dominus Hibernie omnibus ad quos presentes littere pervenerint salutem, Ut magistri et scolares universitatis nostre Oxonie suis studiis et scolasticis actibus vacent transquillius et intendant et ipsi ac alii sub jurisdictione Cancellarii dicte universitatis existentes eo vigilancius ab excessibus offensis, contumaciis, et injuriis se abstineant committere quo commissa noverint proponimus punienda, de gratia nostra concessimus speciali quod Cancellarius vniversitatis predicte qui pro tempore fuerit, a die confectionis presentium per quinquennium proximo sequens continue numerandum, per litteras suas patentes Cancellarie nostre Anglie pro tempore existenti significare possit et certificare de nominibus singlorum de jurisdictione prefati Cancellarii Oxonie qui majoris Oxonie excommunicationis vinculo fuerint innodati, et quod dictus Cancellarius noster Anglie qui fuerit pro tempore brevia nostra in Cancellaria nostra fieri et sub magno sigillo nostro consignari faciat pro capcione illorum de jurisdictione predicta qui sic per dictum Cancellarium Oxonie fuerint excommunicati et per quadraginta dies perseverarint in eadem, ad significationem et certificationem proximi supradicti prout ad significationem et certificationem Episcoporum Anglie predicto Cancellar[io Anglie] . . .

capiendum sit et fieri consuevit. In cujus rei testimonium has litteras nostras fieri fecimus patentes per . . . Teste me . . . apud West[r], etc.

In bad condition.

This copy of a grant seems to have crept in among the Petitions by mistake, but I print it here as an example showing the meaning of a privilege frequently asked for and insisted on by the University (see Nos. 12, 61, 90, and notes thereto). The King thus gave power, always carefully limited, for handing over offenders for punishment from the clerical to the secular arm. For the abuse of excommunication itself, see Nos. 66, 73.

66.

Anc. Pet., File 63, No. 3146.

Temp. Edw. II, circa A.D. 1320–1322.

Abstract. To the King and Council: the Burgesses of Oxford pray remedy for the wrongs and trespass done against them by the Chancellor and the University:—Whereas by custom and royal grant sixty-two burgesses yearly make oath to them to sell lawful merchandize (de leals darreys vendre), by colour of that oath they have those burgesses brought up before them, and pronounce excommunicate and perjured those whom they wish to oppress, thus as judge and party taking fines (raunceuns) at will.

Also they attract royal pleas,—as where a clerk is indicted of felony, or attached for an offence against the peace, they issue process before themselves against the indictors and the bailiffs of the town, and through many simple witnesses fine (reyment) them at will, as they did to Richard Cary £20, Robert de Wormenhale 12 marks, Philipp de Euw 100*s.* (soutz), Esteuen de Adyngton 100*s.*, Andreu de Wormenhale 50*s.*; and thus by extortion many are empoverished and some leave the town.

Also they proceed against the brewers of the town by colour of their privileges, so that these have no peace till they have made a fine; and they extort money from sellers of wines, as from Henry Jolyf, 100*s.*, Johan Stene, 40*s.*, Wauter le Taverner, a mark.

Also if the bailiffs do not their will they oust them from their bailiwicks, and thus the King's peace is often ill-guarded; as they did to Roger Mymkan, bailiff in the thirteenth year.

If any complain in the King's Court they proceed against them with feigned reasons as against their privileges, and excommunicate and imprison them at will against the King's writ, till these agree and lose their health, as was done to Johan le Peyntour and many others.

Also Sire [we complain] of grants which are repugnant to law, by which many townsmen are empoverished, and which formerly were forbidden.

From the Wood MS. D 7 (5), in the Bodleian Library (a list of Mayors and Bailiffs of Oxford from 1122 to 1695, kindly pointed out to me by Rev. A. Clark), we learn that Roger Mimekan was Bailiff in 1319, 13 Edw. II, we may therefore place the date of this woful petition a year or two later. He and Richard Cary had also been bailiffs in 1313. Robert de Wormenhale was Mayor in 1298 and Bailiff in 1300. The names of Andrew de Wormenhale, Philip de Eu, and Richard Cary, occur pretty frequently in one or other of these offices from 1287 onwards. Step. Adington first appears, as Bailiff, in 1322; he is named too in a bond from R. Cary about 1330–40 ('Cartulary of St. Frideswide's,' O.H.S. p. 450).

67.

Anc. Pet., File 132, No. 6569.

Abstract. To the King and Council: the Burgesses of Oxford. Whereas they hold the town of the King in fee ferm, to which the assise of bread and ale belongs, as in the City of London; and in the reign of Edward father of the present King, on a suggestion of the University, [the King] took this [i. e. assize] and delivered it to the Constable of Oxford who still holds it; it greatly helped [to pay] the ferm,—pray that the King will either allow for this or will restore it, as they were not ousted by judgement but only by 'suggestion.' Also the weavers in Oxford in the time of King Richard [i. e. Rich. I] bought a charter that no one should use their office in Oxford if he were not of their gild, paying 40*s.* annually to the Exchequer; the weavers are all dead and have no successors in the town, but the Barons of the Exchequer still charge the burgesses with the 40*s.* though the burgesses do not claim or wish to have or to keep this gild of weavers. They pray that they be discharged of this. 17 Edw. II, A. D. 1323.

Endorsement. On the first point send a writ to the Exchequer that they search for what reason and how this came into the King's hands, and certify the King of it, and let the constable be summoned. On the second, let them go to the said Exchequer. *French, abstract.*

Irrotulatur. Coram rege.—Herlastone [receiver of petitions].

On the first subject of this petition see *note* to No. 72.

The Weavers' gild, for which the burgesses were still charged, were a decaying company in 1275 (3 Edw. I), when they obtained a reduction

of their fee-farm rent from one golden mark annually to 42*s.* on account of their small number, scarcely fifteen, though they had been more than sixty in King John's time (see Ogle's 'Royal Letters addressed to Oxford,' p. 14). Their decline proceeded rapidly, for in 1290 (18 Edw. I) they petitioned that, on account of their further reduced numbers, they might pay only half a mark instead of the 42*s.* to the King, or give up their charter and house (see No. 19). Then comes the above petition of 1323 showing that no weavers are left in Oxford; but nevertheless the burgesses did not get rid of the empty charge, although they do not seem actually to have paid it, being allowed remission of £63 10*s.* for arrears on it in 1352 (26 Edw. III, Ogle, ib. p. 49). A hundred years later, in 1450 (28 Hen. VI), the annual 42*s.* due for the Weavers' gild of Oxford was among the sums assigned by Parliament to meet the expenses of the King's household (Rot. Parl. V. 174 *b*). Herlastone is named in Rot. Parl. I, 365.

68.

Rot. Parl. I. 439.

19 Edw. II, A.D. 1325.

Abstract. To the King and his Council: the Prior of St. Fredeswith of Oxford showing, that he petitioned Parliament in 9 Edw. II, setting forth his right to the advowson of the church of Akeley, co. Buckingham, on behalf of the church of St. Fretheswide, whereupon a writ was made to the Justices of the King's pleas to discuss the matter but not to come to judgement without certifying the King. And it has been discussed, and various steps taken, but the Prior cannot obtain judgement although he sues the King and Council from day to day for reply. Prays an order for judgement to be given.

Reply. A writ is ordered to Sir Geffrey le Scrop and his companions [justices] that in view of the process before them they shall give judgement according to law and reason. *French, abstract.*

69.

Anc. Pet., File 65, No. 3226.

Temp. Edw. III.

Abstract. To the King's Council: the Scholars of the University of Oxford, whereas the clerk who wrote the charter of their franchises negligently wrote 'Inspeximus quandam confirmacionem quam dominus E. quondam Rex Anglie auus noster,' and it ought to be 'pater noster,' which gravely harms the said scholars,—they pray that the said defect may be amended and put in due form.

Endorsement. Let the charter be returned to the Chancery, and, if the defect be found to be of the clerk's negligence and not otherwise, let it be corrected. *French, abstract.*

70.

Anc. Pet., File 16, No. 774.

Abstract. To the King and his Council: the Abbess of Godstow, showing that the King's ancestors granted to the house of Godstow the tenth of all venison that might be taken in Whichwood Forest, but that Hugh le Despencer, the father, when Warden of the Forest, hindered Mabille Wafre, predecessor of the present Abbess, from taking the said tenth, and she prays remedy. Edw. III, anno incerto.

Reply. Show the charter in the Chancery, and there let a writ be sent to the Justice of the Forest to inquire if the predecessors of the Abbess were seised of the tenth, which of them was first ousted, by whom, and why, &c., and let return be made to the Chancery and shown to the King. *French, abstract.*

Printed in Rot. Parl. II. 402 *b*, where the editors place it among 'annis incertis' of Edw. III. It is the second complaint from the abbesses of Godstow against Despencer the father, and was probably made early in the reign of Edw. III (see No. 44), if not in the time of Edw. II. If Mabilla de Upton were the Abbess of this petition, she would have had much experience by 1327–8, the first year of Edward III. As to her and Mabil Wafre see No. 15.

71.

Anc. Pet., File 133, No. 6604.

The Scholars of St. Mary (Oriel) ask for licence to acquire property to the value of £20 a year.

Dautre part prient les escolers par le Roi foundez en lonor de notre dame en la vniversite Doxenford a nostre seigneur le Roi, qil pleise de sa grace granter qe eux peussent purchacer terres tenementz et auouesones des eglises a la value de xx*li.* par an, et celes eglises approprier, en eyde de lour sustenance et de la sustenance des quatre chapeleins auant nomez. Circa 1 Edw. III, A. D. 1328.

Endorsement. The Council agrees, saving lands in chief (*French, abstract*). Let them have licence to acquire ten pounds of land and rent in the form which they ask, lands in capite excepted. (*Latin.*)

This is evidently one of several related documents, but the proposal as to the 'four chaplains before named' is apparently lost. The licence was granted in accordance with the endorsement, for £10 value, on March 14, 1327 (Pat. 1 Edw. III, pt. 1, m. 15). The College of the House of St. Mary (afterwards called Oriel) was founded in 1324.

72.

Anc. Pet., File 259, No. 12938.

1 Edw. III, A.D. 1328.

Abstract. To the King and Council: the burgesses of Oxford petition relative to the assise of bread and ale taken away from them on 'suggestion' by King Edward [I]; asserting that the said assise, which rents 100*s.* to the King, ought to be annexed to the ferm of the town. They tried to have right and remedy in the Parliament at Westminster in the tenth year of Edward, father of the present King.

Endorsement. Veniat certificatio coram Concilio. A writ ordered to the Exchequer to make inquiry how and why the assise was seised, whether the burgesses had the fines in aid of their ferm, how much it was worth to the burgesses and to the King; and if they find that it did help the burgesses and paid the King 100*s.* they must make allowance according to discretion. *French, abstract.*

The assise of bread and ale was seised as above stated, about 20 Edw. I, into the King's hands, and so remained till the burgesses petitioned Parliament in 17 Edw. II (tenth year according to the above petition, which—unless there were two petitions—is wrong, see No. 67) when, inquiry being made in the Exchequer as to the facts, it was found that under Henry III's charter the fines were incurred to the King, but that, the Mayor and bailiffs not having duly punished offenders nor answered for the fines, Edw. I and his council had ordered that the fines should be paid to the Constable of Oxford Castle, who should be answerable. But the burgesses were still charged with the value of the fines, viz. 100*s.*, which they paid into the Exchequer; therefore in 1 Edw. III the burgesses petitioned again (as above, No. 72). The writ to the Exchequer ordered in the endorsement to this petition is on the Close Roll, 1 Edw. III, pt. 1, m. 23, and is printed in full (Rolls of Parl., vol. II. p. 424, whence the above facts have been taken). The final discharge of the burgesses from the 100*s.* must have taken effect from that writ, which ordered it. The assise of bread and ale was granted to the Chancellor of the University by patent, 2 Edw. III (pt. 1, m. 19), also for 100*s.* annually to the Exchequer. In 33 Edw. I the University petitioned for the punishment of bakers and brewers (No. 29), but were accused of excess of privilege in the matter a few years later (No. 66).

73.

Anc. Pet., File 133, No. 6615.

? 2 Edw. III.

Abstract. To the King and Council: The burgesses of Oxford complain,—whereas the Chancellor and University of Oxford have

cognizance of contracts, covenants, and trespass between clerk and clerk, or clerk and lay, they encroach on the franchise of the town and draw to them these contracts, &c., between laymen, especially in certain cases of gifts and actions between laymen brought before the Chancellor wherein a clerk has some concern, who by covine are made to incur large sums which were not due, and thus the defendants are condemned and afterwards excommunicated in all the churches of the town unless they agree thereto; and if they are not absolved of the sentence before the Chancellor they are despoiled even to their arms (se despoillera tanke a ses brais) and must give all their goods to the clerk. In the same way a plea of trespass, in which there has been a cession to a clerk, is made to terminate as in plea of debt, and thus charges of rent upon free tenements are proved, against law, and in great burden to the tenements of the town. Thus the Chancellor encroaches on the franchises of the town, to the damage of the King's profits on writs and issues on pleas of debt, &c., pleadable before his Justices, or before the Mayor and bailiffs of the town. And with such proceedings taken before the Chancellor concerning merchants and other strangers passing through, as well as residents, the merchants will not repair thither on account of such evil doings, and the town is thereby greatly impoverished. Pray a remedy.

Endorsed. Let a writ be sent to the Chancellor showing the contents of the petition, that if it be so he do not repeat it. But if any one feel himself aggrieved let him come to the Chancery and he shall there have remedy. *Latin, abstract.*

Compare this petition with the actual grievances expressed by Walter de Harewell in the document No. 75.

74.

Rot. Parl. II. 22 *a.*

Thomas de Baumburgh, whose presentation to the church of Emeldon has been adjudged against the master of the house of scholars of Merton of Oxford, prays remedy against further impediments.

A NOSTRE seigneur le Roi e a son Conseil monstre son clerk, Thomas de Baumburgh, qe come nostre seigneur le Roi lui ad presente a la eglise de Emeldon, e il ad suy pur le Roi en sa Court 2 Edw. III, A.D. 1328.

devers le Mestre de la meson d'escolers de Merton de Oxenford, qe nostre seigneur le Roi ad recovere son presentement a la dite eglise, par juggement rendu devant Monsr. Geffrey le Scrop e ses compaignons. E ore ascuns gentz se afforceanz de anientir le juggement avantdite, font apels, provocacions, citacions, et autres empediments, en prejudice du Roi. Dont il prie remedie.

Responsio. Habeat prohibiciones et attachiamenta generalia et specialia in Cancellaria, quociens voluerit.

75.

Rot. Parl. II. 16 *b*.

2 Edw. III, A. D. 1328.

Abstract. To the King and his Council: Walter de Harewell burgess and inheritor in Oxford showing, that whereas the Chancellor of the University has cognizance of offences and contracts between clerk and clerk, and clerk and lay, in the town but nowhere else, one William de Wyneye, clerk, impleaded him before the Chancellor for offences done out of his jurisdiction in a foreign county: the said Walter justified himself before the Chancellor, but the said Chancellor notwithstanding condemned him to prison, and kept him in prison in Oxford till he contented the said William with a large sum of money, and made an obligation of £20 to be at the will of the University, and still he had to find mainprise before he could be set free. And because, when he was taken and led to prison by the beadles of the University, he entered his house to shut his coffers and chests and the door of his room for the safety of his goods and chattels, the said Chancellor banished him out of the town, and had it proclaimed everywhere as though he were an outlaw, and sequestered all his goods and chattels, threatening if he entered the town to imprison him again for six days. No one ever had such franchise or power thus to outlaw, destroy and banish the King's burgesses in the said town. Prays a remedy for charity.

Reply. Let it be inquired what was done, and he shall have a writ of trespass in the form for his case, and meantime let a writ be ordered to the Chancellor not so to aggrieve the said Walter, but to let him enter the town and use his merchandise. *French.*

76.

Anc. Pet., File 194, No. 9673.

The Chancellor and masters of the University pray the King's letters to the Cardinal de la Mote asking for further delay in the cause between them, as the Bishops of Winchester and Worcester cannot now hear it.

A NOSTRE seignor le Roi, prient ses clercs hombles le Chaunceler et la compaignie des mestres de sa vniversite doxenford, qil voille ses lettres de priere grauntier al Cardinal de la Mote, pur delai en la cause quele est entre le dit Cardinal et sa dite vniuersite, quele cause est commis al leuesqes de Wyncestre & de Wyrcestre a terminer deuaunt la Pasch proscheyn, ou apres, estre plede en la Court de Rome en lestat quel fuist deuaunt. Enpriaunt al dit Cardinal qil voille le dit delai continuer iesqes a la seint Michel proschein, puis qe les ditz euesqes sount en vostre seruice occupeez qil ne puissent a la dite cause entendre. Temp. Edw. III, between 1327 and 1345.

Gaillard de Mota, Cardinal Deacon of St. Lucia in Cilicia, was as Archdeacon of Oxford an absentee, and consequently he and his officers came into collision with the University. The dispute extended over many years in the Papal Curia. The above petition is not among the documents on the matter printed by Mr. Henson in 'Collectanea,' vol. i. pp. 16-26 (O. H. S.). See also Letters Patent for the years 1325–1345 in the first calendar of Public Records, at the end of Statutes of Colleges of Oxford, 1853, vol. iii.

77.

Anc. Pet., File 132, No. 6554.

The Burgesses of Oxford desire that, as the town is suitably paved, dung-carts with iron wheels shall be forbidden, as in London, for they destroy the causeway.

A NOSTRE seignur le Roi e a soen consail monstrunt les Burgeis de Oxneford qe desicome les mestres del Universite de Oxneford souent vnt porte brefes nostre seignur le Roi a bien pauer la vile, et la dit vile couenablement est paue, carettes ferres carians fyens oue lur tribles ferres la cauce de la dite vile debrusent e destruent dunt ele ne put durer, dunt les dites burgeis prient de ceo remedie. E qe defendu soit qe il carient oue carettes desferres e ne mye ferres come il funt a Londres. ? Temp. Edw. III.

Endorsement. Mandetur per breve ballivis oxonie quod non permittant talia extrahi nisi per carectas deferraratas secundum quod fit Lond.

The *tribles* seem to have been the spiked instruments or dung-forks used to fill the carts, the iron wheels of which did so much to destroy the pavement. In the fourteenth century there does not appear to have been much wheel-traffic, and probably the pavements were not made to resist heavy loads. By Patent 8 Edw. III (pt. 2, m. 20), and again in 12 Edw. III (pt. 2, m. 6), and 3 Rich. II, the Chancellor of the University and the Mayor could compel all householders in the town and suburbs to repair the pavements.

78.

Anc. Pet., File 11, No. 512.

The Carmelites of Oxford pray for the fulfilment of an annual grant of 120 *marks made to them by Edward II on a vow made at Stirling, the payment of which is several years in arrear.*

4 Edw. III, A.D. 1330. A NOSTRE seigneur le Roi et a soun conseil prient ses poveres chapeleyns, freres de l'ordre nostre dame de Carme, de Oxenford, qe cum son piere nostre seigneur le Roy qe fust les avoit graunte de sa almone la sustenance de xxiiii. freres, ceo fest acquere pur chescun frere .v. marz, a prendre a l'escheker de an en an, a deus termis, par un wou qe il fist en sa gere d'Escoce a Estrivelin, qant il fust en graunt peril, cum temoyne nostre sent pere l'Apostoyle par sa bulle; e de cele almoyne lour fist *ses lettres patentes pur prier pur ly et ses heires et pur coes devantcestres, de quele* almoyne il furunt serviz long temps, et ore lour est detenuz, et aad este plusours aunz, icy qe renz ne ressurunt. Qe ly pleise, pur l'amour de Dieux et de nostre dame, et l'ame soun pere *qe deus assoile, graunter et de sa grace comaunder qe le auantdist wou soun pere* seit comply icy qe les freres pussent estre edefiez, et mieutz en lour len deu server, e l'ame de l'avaundist wou devaunt deu descharge.

Endorsement. S'avisent coment et en quele manere le Roi purra parfaire lour priere, et enforment le Roi, et le sur lour informacion nostre seignur le Roi par son bon Conseil ordeinera ceo qe fait a faire par reson. Coram Rege.

Printed in Rot. Parl. II. 35 *b*, but incorrectly (or from an incorrect copy), the passages between *–* being partially or wholly omitted.

79.

Anc. Pet., File 160, No. 7973.

Abstract. To King and Council: the burgesses of Oxford claim that they ought to have the same franchises, laws, and customs as the citizens of London and to marchander with them in London and without, in all places, quit of all customs, as appears by their charters which the present King confirmed, and by writ to the Mayor and Sheriffs of London commanded that they should permit them to enjoy the said franchises, &c., in the city of London, which writs were received in full hustings and were allowed and enrolled; but nevertheless the said Mayor and Sheriffs disturb and molest the said burgesses and make them pay divers heavy customs;—whereof they pray remedy. 4 Edw. III, A.D. 1330.

Endorsement. Suent proces et puis attachement deuant le Roi, et la il aueront droit.

Printed in Rot. Parl. II. 51 *a*. Peshall ('Hist. City of Oxford,' p. 343) gives an extract from the Lib. E of the Guildhall, London (fo. 283), on which are recorded the agreements, in 4 and 5 Edw. III, of the Mayor and aldermen, &c., of London, to the King's writ ordering that the burgesses of Oxford should have the same liberties as London, with customs excepted as agreed upon in 1 Edw. I. The charter of 1 Edw. III to Oxford, which specified what the liberties of London were, while confirming them, is printed in Ogle's 'Royal Letters,' &c., p. 35. See also petition, No. 45.

80.

Anc. Pet., File 310, No. 15455.

Abstract. To the King and his Council: the Prior and convent of St. Fredeswyde in Oxoneford show that they are parsons of Acle and of Brehulle, wherein lies great part of the forest of Bernwode; that Sir John Mautravers, late Warden of the Forests this side of Trent, sold Southboys, in the said forest, of which as parsons they ought to have the tithe, by right of holy church; and they sued Sir John for it, but he has done nothing. Pray the King order that they have their tithes. 4 Edw. III, A.D. 1330.

Endorsement. Let the Warden be desired to have the tithe paid as it has been heretofore. *French.*

Fragmentary, much damaged. Printed in full in Rot. Parl. II. 50 *b*.

81.

Anc. Pet., File 267, No. 13300.

? 5 Edw. III, A.D. 1331.

Abstract. To the King (? and Council): the clerks of the University of Oxford, showing that certain causes may be recognized and terminated before the Chancellor, as granted by Henry the King's progenitor;—Pray that the King will grant to the clerks aforesaid and their successors that all 'causes de contrair' aforesaid which belong to the cognizance of the Chancellor and other judges of the University may be recognized and terminated by them, notwithstanding the prohibition of the King or his heirs.

Also they show that Edward, grandfather of the present King, granted to the Chancellor of the University cognizance of all trespasses made in the town or suburbs except pleas of . . . and mahem, and also that the bailiffs of the King might . . . . . which grant Edward, father of the present King, confirmed and the present King also . . . The clerks now pray that he will grant to the said Chancellor the cognizance . . . and that the said Chancellor by the presence of the King be not disturbed in any point of his jurisdiction . . .

Also they show that from the time of Edward I it has been the use that the gallon of wine should not be sold more than a half-penny (forqe vne maile) dearer than in London, which has been granted by the letters patent of the present King; against which assise and grant some taverners have sold new wines and white wines at their will, and others different wines, to the great hurt of all dwellers or passers-by,—the said clerks pray that the said grant and usage of the assise may endure for all sorts of new and other wines sold in the said town and suburbs.

Also they show that many strifes and debates happen in the said town among men of ill-fame confederate together when the Mayor and [bailiffs] of the said town do not aid the Chancellor as required in taking the malefactors,—pray for a charter that the Mayor and bailiffs be bound to come with sufficient force to maintain peace every time that need may be, and that the Chancellor may require them to take, imprison, and safe-guard the malefactors.

Also for surely keeping the King's peace in time to come, they pray the King's charter to the Chancellor of the University that he may freely at will imprison the malefactors in Oxford Castle or in the prison of the said town, and that the Sheriff Constable of the Castle, having seen the King's charge, shall safely guard them till the Chancellor demand them.

Also the said clerks show that the streets and lanes of the town and suburbs of Oxford by want of pavement cause damage to all dwellers and passers-by, and [are] filled with dung and refuse and piggeries (fiens refumers e de porcheries) by which sicknesses [arise and] some become ill and others die,—pray that the Mayor of Oxford be empowered to distrain every clerk and lay tenant to pave against his tenement and repair the pavement when need be, and to remove corruptions that happen through butchers or others killing their beasts in the streets.

First two and sixth clauses torn and damaged.

The back of the long sheet on which the above is written is also nearly covered with six clauses, in Latin, so much damaged as to be difficult to read; they are not the usual endorsement or replies, but appear to be the French petition turned into the Latin 'supplicatio.' On the Patent Rolls of 5 Edw. III, pt. 2, m. 8, and pt. 3, m. 18, are several grants, all dated in October, which answer to three or four of the clauses of the above petition, viz., the third, fifth, and sixth, and which may have resulted from it. Individually the subjects of the third and sixth occur at other dates, but the terms of the fifth combined with the group of desires —although all may not have been immediately carried out—point to the date here given. It was a troublous time in Oxford, only three years before the 'Stamford Schism.'

82.

Anc. Pet., File 132, No. 6568.

Abstract. Rehearses that there have been, and still are, great and grievous discords in the University of Oxford by reason of the multitude of different people there, and many robberies and ills without number that the Chancellor or the town cannot chastise or appease; many masters and scholars dare not remain to study in Oxford, they are in fear of death and loss of their goods, and are dwelling at Stanford and elsewhere;—the said masters and scholars pray the King to grant them his royal surety (*asseurte*) and protection to stay (*estauncher*) all the evils aforesaid, in amendment of holy church and the clergy. Temp. Edw. III, about Jan. or Feb., 1334.

This appears to be from the seceders in the great Stamford Schism: cf. Mr. Henson's account and documents in 'Collectanea,' vol. i. pp. 3–15 (Oxf. Hist. Soc.). While unaware of this petition, Mr. Henson prints (p. 12) another from the University to the King and his Council, i.e. in Parliament, exactly similar in form to the 'Ancient Petitions,' without recognizing its character, owing no doubt to the fact that he found it copied into a manuscript volume of letters, where alone it now appears to

be preserved (Roy. MS. 12 D xi., British Museum). An abstract of this follows, with Mr. Henson's date; it may be compared with several other documents on the same subject at various times.

83.

Roy. MS. 12 D xi., fol. 29 *b* (Br. Mus.).

A.D. 1334–1335. *Abstract.* To the King and his Council: the Chancellor, masters, and clerks of the University, showing that the Mayor and bailiffs of the town make excuse that they dare not for fear of the commons take the malefactors and disturbers of the peace on the denunciation of the Chancellor, as they are bound to do, whence much harm and strife has happened. They pray and request that the King's representative ('son vice,' i. e. the mayor) for the time being be sworn yearly at the King's Exchequer to take and imprison such trespassers till by care of the Chancellor they be sufficiently punished.

See note to the previous petition.

84.

Rot. Parl. II. 76 *b*.

8 Edw. III. A.D. 1334. *Abstract.* To the King and his Council: William de Spersholt, Sheriff of Oxford and Warden of Oxford Castle, showing that the county gaol is within the said castle and is fully charged with prisoners, and commonly is so. But beyond that the Chancellor of the University, without warrant, from day to day at will orders his beadles to deliver to the said sheriff southern and northern clerks at strife committed in the Chancellor's court for acts of violence, to remain in the castle at the Chancellor's pleasure, whereby the castle is greatly surcharged and so many cannot be safely guarded. And the sheriff fears the machinations of the clerks within and without, young people and escaped robbers, whereby the garniture, &c. of the castle may be endangered.—Prays that it may be ordered that no clerk be received at the castle unless he be a common and notorious malefactor to be kept as a prisoner and judged in the King's court.

Reply. Non est petitio Parliamenti.

The Sheriff's difficulties were owing to the turmoil among the students, divided into north and south, which led to the Stamford Schism. See Nos. 81, 82.

85.

Rot. Parl. II. 96 *b*.

In a Petition from the Lord Mayor of London asking to be allowed the heavy fee for serving as Butler at the King's coronation it is added that by charter the Mayor of Oxford comes to assist him. The following is the extract so far as it touches Oxford.

Et le meire e les citeyns d'Oxenford ount pur point de chartre, q'ils vendront a Loundres a l'encoronnement d'eyder le Meire de Loundres pur servir a la fest, e toutz jours l'ount usee. E si i plest a nostre seigneur le Roy e a son conseil, nous payeroms volenters le fee, issent qe nous soyoms descharges de la service. 11 Edw. III, A.D. 1337.

It was replied that the Exchequer Rolls must be searched, and if it were found that on former occasions the fee had been allowed to the Mayors of London it should be so now. *French.*

86.

Anc. Pet., File 133, No. 6616.

The Chancellor and University pray that the butchers, who kill their beasts in the middle of the town, through the ordure causing illness and death, be ordered on pain of forfeiture to kill outside the town.

A nostre seigneur le Roi e a son counseil prient le Chaunceller e la vniuersite de Oxenford qe [comme les] Buchers de mesme la ville vsent comunement de tuer lour bestes en my lieu la ville par qoi escolers e autres bon gentz illoeqes demoerentz par les ordures sount par diuerses maladies greuez, e ascuns morts, dount ils prient qils puissent auoir par la chartre le Roi qe les ditz Buchers sur peyne de forfaiture des bestes issint tuez a nostre seigneur le Roi tuent lour bestes hors de la ville par [la] ou escolers ne autres bones gentz ne demoerent, pur saluacion del vniuersite et de la ville auauntdite. Circa 13 Edw. III, A.D. 1339.

Endorsement. Porce qe tesmoigne est deuant le conseil qil ont lettres du Roi de ce qil demandent si leur deit celles suffir.

It was probably this petition that led to the order of 1339 against the slaughter of beasts within the town (printed in Ogle's 'Oxford Market,' Collectanea, vol. ii. p. 27). The Pat. Rolls contain two orders for proclamations to this effect, 12 Edw. III (pt. 3, m. 6 dorso), and 13 Edw. III (pt. 2, m. 28).

87.

Anc. Pet., File 63, No. 3145.

Aug. 9, 1341; 14 Edw. III.

Abstract. Writ, dated Stratford atte Boghe, August 9, 14 Edward [III], from the King to the Mayor and bailiffs of Oxford, upon complaint of the Master and scholars of the University, to hold public inquiry on certain points, viz., as to the fixed places where in-dwellers and strangers may bring their wares for sale, regulations for the sale of victuals, and relating to merchants, regrators, and forestallers.

The reply of the Mayor and bailiffs is written on the back,—as to the first point it being stated that there are fifty-six places, each of which pays an annual rent to the King of 4*s.* 4½*d.* at Michaelmas, accounted for by the Mayor to the Sheriff,—with a short agreement made between them and the Chancellor of the University.

Both in Latin, rather lengthy.

88.

Anc. Pet., File 132, No. 6587.

? Temp. Edw. III; ? between 1342 and 1350.

Abstract. To the King and the lords in this present Parliament: the Chancellors, bachelors, and others, students of the Universities of Oxford and Cambridge, pray, that they will consider the misfortunes and desolations of the clergy of the said universities, and will grant that they may purchase in the Papal court graces and apostolic provisions on the benefice of the collations or presentations of archbishops, bishops, abbots, and other ecclesiastics; or by some other means by advice of Parliament ordain some other remedy in relief and comfort of the clergy.

End torn away.

The Oxford University actually applied to both John XXII in 1322 and to Clement VI, to the last of whom they sent rolls containing the names of graduates for whom he might provide benefices (see Rashdall's 'Universities of Europe,' i. 533 and *note* 1). Clement was Pope 1342–1352; the first Statute of Provisors was passed in 1351, to the decade before which the above petition seems to belong.

89.

Anc. Pet., File 78, No. 3873.

Abstract. These are the plaints of the Bailiffs of the Hundred outside the north gate of Oxford. First, whereas the men of this

hundred ought only to be at distress of the King,—the Chancellor and the University wrongfully make distress on the bailiffs and good men of the hundred, by imprisonment and excommunication. Temp. Edw. III. (Hand-writing not before 1350.)

On Tuesday before Pentecost this year Thomas and Simon of Braundene, clerks, and several others, came and stole the fish from the water which were put in store, and mowed the King's meadows, and assailed the King's serjaunt who guarded the meadows, that he hardly escaped with his life.

On the Friday following, the same clerks with near 300 others came and mowed and laid waste the King's meadows, and [seized] a boat of the King's passage [i. e. a passenger or ferry boat] worth 30*s.*, and broke it up quite to pieces.

One William de Neutun, clerk, had wounded the daughter of Richard le Ceu nearly to death, he gave himself up on Sunday to the King's coroners and bailiffs; and Nicolas de Stapelton and Gibun his brother with others by force broke the prison and vilely beat those officers, and a cry was raised upon the clerks.

Endorsement. Scribatur vicecomite et cancellario universitatis quod audiant partes et fieri faciant [? iusticiam: *illegible*].

Torn towards the end.

The date of this document seems not to be after 1357, when the city purchased the manorial rights of the North Hundred. (Boase, 'Oxford,' p. 59, Historic Towns Series.)

90.

Anc. Pet., File 132, No. 6593.

Abstract. To the King, the Chancellor and scholars of the University of Oxford, showing that the University is ruined and enfeebled by the pestilence and other causes, so that their estate can hardly be maintained or protected; they complain against the Mayor and burgesses of the town [who have apparently done something against their privileges]; they pray that no grant be made to the said Mayor and burgesses [against] certain of their privileges. Moreover they pray [some favour] as to persons excommunicated during forty days [probably, that power during a limited period might be granted out of Chancery for taking them]. (Et estre ce tres redoute seigneur vous plese granter qe . . . Chancellor d'Oxenford qore est ou qi pur temps sera des gentz qont este escomengez par proces faitz[1] dont . . . ? Circa 25 Edw. III, A.D. 1350.

[1] *proces faitz*; these words a little doubtful.

demorez escomengez pur qarentz iours, briefs soit grante . . . de vostre chauncellerie de prendre . . . de la tere.)

Endorsement. As to the first point, it seems to the Council that it is in operation. As to the second, the King should grant it for . . . years as he has done formerly, or until . . . Then this petition was taken to the King by the Chancellor, and the King granted it for six years. *French, abstract.*

In very bad condition.

The first and great plague was in 1349, from May 31 to Sept. 29; the second lasted from Aug. 1361 to May 1362; the third was in July 2, 1369, to Sept. 29. The first clause of the above petition seems to refer to the great plague; on the subject of the second several grants had been made (see note to No. 12), though I do not find one for precisely six years. But in 26 Edw. III, A.D. 1352, letters patent (pt. 1, m. 24) were granted that on the certificate of the Chancellor of the University writs should be made in Chancery for taking excommunicated persons, the power to last for five years.

91.

Anc. Pet., File 125, No. 6201.

? Temp. Edw. II (according to hand-writing).

Abstract. To the King and his Council: the common merchants passing by water between London and Oxford, show that there are many gortz which ought to be repaired so that boats might pass; they are now so obstructed, restrained and barred, by bar and lock, by those who own them (par ceaus qi les deiuent) that no boat can pass without giving great toll to those who own the said gortz (sanz ceo qil done grant tonnue a ceaux qe deiuent les ditz gorz); whereby the said merchants often [have to] lie there two or three days before they can pass, until they make redemption or agreement, and thus lose their advantages, corn and other victuals grow dear, and other damages to the people ensue. And though justices have been appointed to survey the defects nothing has been remedied;—Pray that a remedy be ordered.

Endorsement. Let sufficient men who understand this be appointed to survey the gortz between London and Oxford and to take away the stoppages and nuisances, so that boats may pass as they reasonably ought and have anciently been used. *Fr.* Coram magno consilio.

Erroneously placed, probably early Edw. II. See Nos. 40, 41, 42.

92.

Anc. Pet., File 257, No. 12809.

The Commons of the town being much impoverished and troubled for their trespass in the last quarrel between clerks and laymen, notwithstanding the pardon granted to the Commons in last Parliament, pray for a special charter of pardon.

A NOSTRE seigneur le Roi et a son conseil prient plusors des poures comunes de la ville de Oxenford qe come ils soient . . . de trespas . . . en la darrein debate qe estoit entre les clercs e les lais hommes de la dite ville e sunt grauement empoueriz e anientiz par . . . e autrement nient contreesteant la pardonne quele notre seigneur le Roi granta a ses comunes en la darrein parlement qe pleise a . . . e a son conseil en oeure de charite granter a eux vne chartre en comune sur la dite pardonne e briefs as justices e viscontes qils ne soient . . . ne greuez contre la dite pardonne en manere come est grante as autres comunes de la terre. ? 37 Edw. III, A. D. 1363.

Endorsement. Eient chartre de pardonne en comune des trespas solonc la pardonne faite a la comune du Roialme.

The pardon referred to appears to have been the general pardon passed by letters patent of 36 Edw. III, Oct. 13, 1362, when the King attained the age of fifty, printed in Ogle's 'Royal Letters,' p. 66.

93.

Rot. Parl. II. 290.

Abstract. In this Parliament, held at Westminster, May 1366, petitions were sent in from both Universities, Oxford and Cambridge, and from the Friars of the four mendicant orders, complaining one against the other of disputes. The Chancellors and Proctors of the University on the one hand, and the Provincials and Officers of the orders on the other being present, submitted without reservation to the King's ordinance for appeasing the troubles, which was made with assent of the prelates, nobles, and wise men in Parliament. The points of these were :— 40 Edw. III, A. D. 1366.

1. That the members of the Universities should treat the friars in graces and all other school exercises, and the friars should behave towards them peaceably and decently, as they did before the statute which contains 'that none shall receive into the said orders scholars

of the Universities under the age of eighteen years;' which statute is hereby annulled.

2. That the execution of all impetrations of bulls and processes made or to be made in the Court of Rome by the Friars of those orders or any one of them against the Universities since the making of that statute be stayed, and that the friars renounce any advantage arising from action already made thereon.

3. The King reserves to himself power to redress further grievances and to punish those of the two parties who disobey this ordinance.

The petitions are not given in full on the Roll, only the arbitration, of which the above is an abstract.

94.

Anc. Pet., File 85, No. 4245.

50 Edw. III, A.D. 1376.

Abstract. To the King and Council in this present Parliament, the doctors, bachelors, and scholars and students of civil and canon [law] in the University of Oxford: showing that some time ago they appealed to the Council for remedy against the banishment of Thomas Mountagu and Henry Ingelby, and against a malicious ordinance which had been made by the Chancellor, proctors, and regents against the faculties of civil and canon [law] without assent of the doctors or others of the said faculties; and that thereon by advice of the King's Council they had been ordered by divers writs to keep the said University according to the old statutes and customs, and that the bachelors and scholars should receive . . . without being coerced to make new oaths or bonds. In this Parliament was to be a final remedy ordained . . . the said patents, writs, and commands of the King, the Chancellor . . . made a new statute against the aforenamed . . . great and horrible contempt of our lord the King.

Endorsement. Let the Bishops of London, Ely, St. D[avids], Chichester and Salisbury be deputed to make them agree . . . matter here comprised, and if these bishops do not make them agree the Archbishop of Canterbury shall be named (?) to make the final agreement. *French.*

A large piece torn away.

The arbitrators mentioned in the endorsement to this petition were appointed by letters patent of June 20, 50 Edw. III (pt. 1, m. 14 *dorso*), and their decision was confirmed on July 8 (ib. m. 10). A special protection had been given for the students and bachelors in civil and canon law on Feb. 27 in the same year (Pat. 50 Edw. III, pt. 1, m. 33).

95.

Anc. Pet., File 329, E. 933 (cf. with No. 99).

The Brethren of the Hospital of St. John pray for leave to have houses and rents devised to them, for the burgesses of the town may devise according to the customs of London.

A NOSTRE seigneur le Roy, pur dieu prient les poures freres del Hospital Seint Johan de hors la porte del East de Oxenford, qil puissent resceiure maisons et rentes qe hom leur veut deuiser en la vile de Oxenford pur lamour deu e pur lavauncement de la maison, pur ceo qe les Burgeis de la vile poent deuiser maisons e rentes come leur chatel solonc les vsages de Loundres. Ausi prient les freres auauntdits qe il puissent approprier a eux de lour fee la ou il est tenuz en chef de eux. ? End of Edw. III, or beginning of Rich. II.

Endorsed. Coram Rege. Veniant ad Cancellariam et ostendant de quibus tenent, et habeant breve de inquisicione.

96.

Anc. Pet., File 268, No. 13395.

Abstract. To the King: the Warden and Convent of the Friars minor of Oxford pray that an annuity of fifty marks, granted and paid to them by the King's grandfather and former kings, may henceforth be paid twice a year at Michaelmas and Easter by writ of the Sheriff of Oxford. ? Temp. Rich. II.

The phrase 'and former kings' points to Rich. II, rather than Edw. III, for this petition, the Minorites having come into England in the reign of Hen. III. The annuity was first granted by Edward I in 1289, was continued by letters patent down to Hen. VIII (see A. G. Little, 'Grey Friars in Oxford,' pp. 97, 98 *note*), and was excepted from three acts of resumption under Edw. IV. See Rot. Parl. IV. 196 *a*; V. 520 *a*, 597 *b*; VI. 90 *a*.

97.

Anc. Pet., File 222, No. 11056.

Abstract. To the King: the Prior and Convent of the Friar Preachers of Oxford, praying confirmation of their charter (below-written) without fine or fee. The charter purports to be a grant by Edward III of a piece of land on the east side of their habitation, twenty feet wide, 'de riparia sive aqua ubi et prout ipsa solum habitacionis in longitudine versus australem quacumque parte attingit ? Rich. II. Date of charter, 50 Edw III.

viginti pedes in latitudine, a solo illo versus filum riparie siue aque,' for the purpose of defending and enlarging their habitation,—to preserve it from the waters of Thames on the east side thereof—the Statute of Mortmain notwithstanding. Dated Westminster, August 12, fiftieth year of reign in England, thirty-seventh in France.

98.

Anc. Pet., File 132, No. 6574.

? Temp. Rich. II.

Abstract. (*The petition is in three sections, the left end of all lines is torn off.*) To the King and his Council. The clerks of the University of Oxford, whereas the care of the assise of [weights and measures] had been committed during the King's will to the Chancellor of the University and to the Mayor of the town paying . . . yearly to the Exchequer, pray that it shall be granted to them permanently. *Second*, relates to the price of wine; it prays that [letters patent] of the King his grandfather may be ratified under seal. *Third* relates to the assise of bread and ale and its guardians, but is not clear.

Endorsement partly gone. Letters patent granted on the second point, on the third 'no reply.' *Latin.*

The subject of the second clause is identified by the words 'forqe vne maille.' See No. 81.

99.

Anc. Pet., File 61, No. 3010.

Temp. Rich. II.

Abstract. To the King: The Warden and Scholars of Merton Hall, recite that King Edward, your grandfather, granted to the burgesses of London that they might devise by will lands in mortmain without licence notwithstanding the statute, for after that statute your burgesses up to the time of the said grant could not devise in mortmain. A legacy was made to the predecessors of the petitioners in the time of King Edward, son of King Henry, without licence before the said grant, by Henry, a burgess of London, of 20*s.* arising from two messuages in the parish of St. Benet in Gracechurch Street held of you in free burgage, which rent therefore belongs to the Crown; —pray that this rent be ratified, confirmed, and the dues thereon released to the petitioners without fine or fee.

The Statute of Mortmain was passed in 1279, 7 Edw. I; the legacy above referred to was made *temp.* Edw. I, who is referred to as 'Edward

son of King Henry.' The privilege of devising lands in mortmain without licence was granted to London by Edw. III, referred to here as 'Edward your grandfather.' See this right claimed for Oxford burgesses, No. 95.

100.

Anc. Pet., File 215, No. 10740.

Abstract. To the King and Council: John of Dodeford, Prior of St. Freswide of Oxford, who was duly elected Prior by congé from the King, with royal assent, confirmed by the Bishop of Lincoln, and had livery of his temporalties—now being at London on account of false indictments against him by his enemies, certain canons of the said house have ordained John of Wallingford (one of them) to be Prior, and are wasting the food and other things there, holding the priory like a fortress or castle with armed men and archers; wherefore he prays that a Commission may be sent to oust the forces (poair) found in the priory, restoring the Prior and his rule in it, punishing the rebellious canons and compelling them to find sureties for the peace, and moreover that writs may be sent forbidding the Mayor, bailiffs, and good men of Oxford to aid and abet them. 1 Rich. II, A.D. 1377, 1378.

Endorsed. Episcopus Hereford; Cancellarius vniversitatis Oxonie.
Reginaldus Malyns c̄hr.
Eds. Stonore vic. Oxonie.
Johannes Hereford [s]eruiens Regis.
(Johanni) Maiori Oxonie et Ballivis eiusdem.

John Dodeford was Prior of St. Frideswide's from his election on Dec. 6, 1374, till his death, about 1391 (Wigram's 'Cartulary,' p. xiv). John Wallingford had preceded him as Prior, but Dugdale gives no hint of this later intrusion. Of the names on the back of the petition, Adam de Toneworth was Chancellor of the University, John Gilbert was Bishop of Hereford, Edmund Stonor, Sheriff of the county, and John (crossed through in the MS.) Gybbes, Mayor of the town. The first four may have formed the commission; apparently the King's serjeant was ordered to send the writs to the mayor, &c.

101.

Anc. Pet., File 19, No. 915.

Abstract. To the King and his Council: the Master and Scholars of 'Mokel Universite Halle,' which was first founded by King Alfred for the support of twenty-six perpetual divines; whereas one Esmon Franceys, citizen of London, for all his great riches has so proceeded against the tenants of certain lands and tenements with which the said 2 Rich. II, A.D. 1379.

college was endowed that the college has lost them; and reckoning on the poverty of the Master and scholars has gone further, till he has brought a writ *nisi prius* for the rest of their substance, against which they cannot make defence, he also having subtly procured the panel on the inquest to be on his side. Pray that the parties may be ordered to appear before the Council with their evidences, so that the college be not disinherited. The petitioners invoke the King as their 'avowe' or protector, and refer to the names of 'John of Beverley, Bede, Richard Armecan, and many other famous doctors and clerks,' as formerly scholars in the college.

Printed Rot. Parl. III. p. 69 *a*; also by Mr. Jas. Parker, 'Early History of Oxford,' O. H. S., p. 316: see also p. 54, where he exposes the pretension and the historical blunders of the petition in attributing the foundation of University Hall to King Alfred. (Also in William Smith's 'Annals of University College,' Newcastle-on-Tyne, 1728, p. 127.)

102.

Anc. Pet., File 132, No. 6590.

?4 Rich. II. *Abstract.* To the King and his Council in Parliament: the Master and Scholars of University Hall in Oxford. Whereas Edmund Fraunceys and Idoyne, his wife, formerly had a writ of droit to the Mayor and bailiffs of Oxford demanding three messuages, ten shops, a soler, [fourteen] acres of land, fifteen acres of meadow, and eight shillings of rent in Oxford and the suburbs, [viz. from] Robert Westby of a messuage of four shops, fourteen acres of land, and fifteen acres of meadow; Richard Garston [and Juliana his] wife of a messuage and three shops; William Saundres and Isabell, his wife, of two shops; Waulter Knyght, patynmaker [and Alice his wi]fe, of a shop and a soler; and John Wyndesore and Margerie, his wife, of a messuage and eight shillings of rent, . . . lour deforceauntz, which writ was delivered to the Mayor and bailiffs at the Hustings of the town held on the . . . . of Trinity, 1 Rich. II. On which writ process was continued, and the said Edmund and Idoyne carried it to the King's Bench on account of error; and they issued a *scire facias* against the aforesaid five tenants that they held the said tenements from the dates of the said writs of droit and *scire facias* severally as stated in the writ of droit, except Wm. Saundres who was then dead, as of right from the then Master and scholars of the said college, by the annual rents [for their lives], Robert Westby of £6; Isabell, widow of Wm. Saundres, 1*s*. and 8*d*.; Waulter Knyght [in the life]

of his wife Alice, 8*s.*; and John Wyndesore and wife, 13*s.* and 4*d.*, by the lease of Roger Aswardeby, late Master, and the scholars of the college; and Richard Garston and his wife Juliana, for their lives, paying yearly 50*s.* . . . [to be paid] to the Master and scholars then being, the entire sum amounting to £11, . . . part of the inheritance of the college. . . . [Judgement was] reversed and seisin of the said tenements awarded to the said Edmund and Idoyne, whereby the said college suffers great destruction and ruin. Wherefore the present Master and scholars pray that [the process now] going on in the King's Bench may be made before you in this present Parliament, and that . . . to assign the errors and to have the suit till the judgement be reversed . . . and that the said tenants be restored (restitutz).

[*On the same sheet a second petition from the same, but the half at least of this part is torn away; the whole sheet is much mutilated.*]

'Item monstrent les ditz ore mestre e escolers de la college susdite.' . . . Richard Cornwaille and Isabella his wife of a messuage and 8*s.* of rent. [The tenor of this petition cannot be followed, but some of the foregoing names and details seem to be repeated.]

Endorsement very bad.

103.

Anc. Pet., File 20, No. 978.

Abstract. To the King and Lords in Parliament: the Master and Scholars of University Hall. Whereas Esmond Fraunceys and Idoyn his wife lately pursued them with a writ of *formedone* claiming seventeen acres of meadow in Grand Pount (to which they had no right), which was carried to the King and his Council in the last Parliament held at Westminster, where it was awarded that the Justices of Common Bench should proceed no further with the said writ until it be otherwise ordained. And now these, Esmond and Idoyn, have purchased a new writ of *formedone* against Robert Westby, who holds the said meadow by lease from the college, which will be disinherited if some ordinance be not made. Pray that the Justices may be ordered to proceed no further with the plea now pendant till this matter has been discussed before the King's Council. 7 Rich. II, A.D. 1383, 1384.

Reply. As it is well known to the King and lords that the petitioners are too poor to defend their right at common law, it is agreed in parliament that the right and claim touching the said meadow shall be determined before the King's Council. *French, abstract.*

Printed in Rot. Parl. III. p. 176 *b*. In the same vol. (p. 404 *b*) is another document in this case, from the Close Roll, 12 Rich. II, m. 42; it is a writ from the King to the Mayor and bailiffs of Oxford, reciting the chief petitions and steps taken apparently from the commencement, and ordering them to supersede altogether any assise of Fresh-force or other plea brought before them now by Edmund and Idonia, saying that they should come before the King's Council, where they should have justice. For an account of the proceedings and the merits of this case, which was partly tried in Oxford as well as at Westminster, and which extended over many years, see Parker's 'Early History of Oxford,' O. H. S., pp. 53–55, and Wm. Smith's 'Annals of University College' (Newcastle-on-Tyne, 1728), pp. 108–140. Edmund Frances was a citizen of London, a merchant grocer (grossarius); there seem to have been two estates in question, according to our documents (Nos. 102, 103).

104.

Rot. Parl. III. 69 *a*.

2 Rich. II, A.D. 1379.

Abstract. To the King and Council: Alexander, Archbishop of York, shows that in the Statutes of a College called Queenhall in Oxford it is provided that the Archbishop of York for the time being shall confirm a newly-elected Provost and shall appease and determine dissensions among the scholars, the said Statutes being duly authorized. And, after long dissensions between the Provost and scholars, the Archbishop sent his commissaries who removed the Provost and some scholars. A new Provost was elected and duly confirmed; but notwithstanding this some who were removed will not obey orders, and have troubled the present Provost in different courts, and have carried off the seal, charters, muniments, and sealed statutes of the College. Right is delayed from day to day, and the Archbishop cannot have due execution.

Reply. Certain prelates and others are assigned to treat of and conclude the matter. *French, abstract.*

See No. 116 on the same subject.

105.

Anc. Pet., File 132, No. 6575.

2 Rich. II, A.D. 1379.

Abstract. To the King and his Council: the Chancellor and scholars of Oxford pray to have release by writ to the Exchequer from paying the share of the subsidy granted by the last Parliament of the King's grandfather, due from the unbeneficed clerks, which release the said scholars were promised. A clerk 'nient auanse' [not bene-

ficed] was assessed at 4*d.*, the 'clercs auaunsez' were assessed at 12*d.*, which they paid out of their benefices.

Endorsement. Let them have pardon and release by the King's grace and a writ to the Exchequer to discharge them of the demand. *French.*

On the Close Roll, 2 Rich. II, m. 23 *dorso*, dated Oct. 28, is the answer to this petition, excusing all non-beneficed clergy dwelling in Oxford from paying the subsidy of 4*d.* Patent letters to the same effect are 3 Rich. II, pt. 2, m. 33; 4 Rich. II, pt. 2, m. 15; and 5 Rich. II, pt. 2, m. 28. See No. 109.

106.

Anc. Pet., File 274, No. 13664.

Abstract. To the King: the Warden and poor scholars of the house of Merton in Oxford show, that John Wyllyot, clerk, and his joint feoffees, seeing the necessity of the said house and the fruitful increase of the clergy of England, intended, and still intend, by licence (which they have) to give the petitioners a tenement called Battes In, with a cellar, shops, and solers adjoining, in Oxford; and whereas adversaries in the time of your grandfather proceeded against them in the Exchequer, and now have procured an escheat of the property in order to disturb the purpose of the said joint feoffees,—they pray that these proceedings may be fore-closed, so that they may escape the cost and labour of defending their right. Circa 3 Rich. II, A. D. 1379, 1380.

By letters patent, Oct. 5, 4 Rich. II (pt. 1, m. 14), the Crown granted to the Warden, &c., of Merton, in aid of the poor scholars, the property referred to in the above petition, which John Wiliot, Wm. Berton, &c., had intended to give and had released to the King for £60. Was this Battes Inn part of the estate given by Wiliot in founding the 'Portionists,' later 'postmasters'? Rashdall, vol. ii. pt. 2, p. 488. The first mention of Wiliot seems to be in 1334 (Brodrick's 'Merton,' O. H. S., p. 216); he became Chancellor in 1349.

107.

Anc. Pet., File 132, No. 6585.

The Warden and Scholars of Merton pray for the repeal of a charter empowering the Mayor and burgesses to make a ditch round the town 200 feet wide for defence, alleging that the charter was procured in a time of tumult, to annoy the neighbours.

A NOSTRE tresredoute seigneur le Roy e a son noble conseil, Supplient ses deuoutz oratours Gardein e Escolers de Mertoñ Halle en ? 3 Rich. II, A. D. 1380.

Oxenford; qe comme en temps de graunte rumour des comunes le Maire qestoit adonqes de Oxenford purchacea vne chartre qe le dit Maire e les Burgeis purrent faire vne fosse entour la dite ville de deux centz pees en laeure pur defense del dite ville, comebien qe les ditz Maire e Burgeis en pluseurs lieux eient nulle terre hors les mures, mes purchacerent la dite chartre en temps del dit rumour pur greuir les dits escolers e leur autres veisins, plus qe pur defense ou amendement del ville; pur quoi pleise a vostre tresexcellente seigneurie repeller la dite chartre, canceller lenrollement dicelle, ou charger les Maire e Burgeis de faire restitucion de mesme la chartre, pur eschuir le brige peril qe purront ent auenir qe dieu ne veulle, e en oeure de charite.

A writ directed to the Mayor of Oxford, June 14, 1380, promising inquiry into the disturbance caused by Merton to the cleansing of the town ditch, is printed in O. Ogle's 'Royal Letters addressed to Oxford,' 1892, p. 83. Probably this was part of the 'graunte rumour' mentioned.

108.

Anc. Pet., File 47, No. 2346.

? 3 Rich. II, A. D. 1380.

Abstract. To the King and his Council: the Prior and Convent of St. Fredeswid of Oxford pray for a confirmation of their charters and franchises; and because they have been disturbed by officials [saying] that they could not fully use their charters and fraunchises, that they may henceforth do so without contradiction.

Endorsement. Let the charters be shown in the Chancery and be confirmed according to their reasonable purport,—a fine to be made into the Chancery. *French.*

This appears to be the petition which preceded the charter of confirmation granted to John Dodeford, Prior of St. Frideswide, in 1381, 3 Richard II, and printed in 'Cartulary of St. Frideswide,' ed. Wigram, O. H. S., pp. 81, 82. A petition of Dodeford to the King's Council, Feb. 16, 1377, is printed from the cartulary, ib. p. 80.

109.

Anc. Pet., File 132, No. 6588.

3 or 4 Rich. II, A. D. 1380, 1381.

Abstract. To the King and his present Parliament: his University of Oxford; whereas in the fifty-first year of Edward III a subsidy was granted by Simon, Archbishop of Canterbury, and other prelates for the clergy of the province of Canterbury, on every parson over the age of fourteen years, of 12*d.* on a 'persone avance' and 4*d.* on a 'persone nient avance' (i. e. 12*d.* on a beneficed, 4*d.* on a non-beneficed

parson), excepting the four mendicant orders; and a commission from the Chancery was issued to Adam Toneworth, then Chancellor of Oxford University, and Thomas Lyndelowe and John Wendover, then proctors, to raise the said subsidy; and because the University could in no way pay this they applied to the last Parliament, held at Gloucester, for their discharge, which was granted to them but has not been allowed in the Exchequer; and the barons of the Exchequer have issued process against the said Chancellor and the executors of Robert Aylesham, his commissary, and the said proctors, and against the said Robert for the time that he was Chancellor, and the executors of John Brumpton and Richard Poster, then proctors, to render account of the 'quilet' of the subsidy granted in the second year of the present King, but they could not raise it for many reasons, and thought to have a discharge. And likewise the said barons issued process against William Barton for the time that he was Chancellor, and the executors of the said John and Richard, proctors, to render account for another subsidy granted by the clergy [year not named], but they had not yet the King's commission to raise it. At the instance of the University your orators pray that the persons aforesaid be clearly discharged from responsibility for the 'quilet' of the said subsidies.

Adam Toneworth was Chancellor in 1377, Robert Aylesham in 1379, and William Barton (or Berton) succeeded Aylesham, probably in 1380, he was Chancellor also in 1382. The Parliament held at Gloucester sat in Oct. 1378, 2 Rich. II, but the subsidy granted by the clergy in 2 Rich. II was granted in the second Parliament (at Westminster, Easter, 1379) held in that year of the King's reign (see Lord Chancellor Scrope's opening speech to the Parliament of 3 Rich. II, January 1379–80; Rot. Parl. III. 72 *b*). This petition may thus have been sent in to the Parliament of Jan. 1379–80, or to that held at Northampton in Nov. 1380 (see also references in note to petition No. 105). *Quilet* is the sum collected, from *quiller*, to collect.

It is worth notice that none of the four proctors in this document are given by Le Neve, whose list is blank between 1349 and 1401.

110.

Anc. Pet., File 20, No. 979.

The Prior of St. Frideswide complains that, recently holding his accustomed fair in Oxford, the Chancellor and scholars came and made an affray, riotously destroying it.

A NOSTRE tres honoure et tres redoute seigneur le Roy et a les honourables seigneurs du Parlement, supplie son devout chapellein le 7 Rich. II, A.D. 1383, 1384.

Priour de St. Freswide de Oxenford, qe come il eit une feire a Oxenford a la feste de Seinte Freswide par les chartres de les nobles progenitours nostre seigneur le Roy, et par sa confirmacion, ovek la clause de licet; et ore les gentz de diverses paiis vindrent et mistrent leur tentes et pavillons come ils soleient pur tenir leur feire illoeqes, la le Chanceller de Oxenford, et les escolers, ont fait une solempne crie, qe chescun homme voideroit maintenantz hors, et q'ils ne tendroient nulle feire sur lour peril, et firent trencher et rumper toutes les pavillons et cordes qe demureient, et ont fait tiele affraie et riot par leur poair et mestrie, et tout dys fount tiele duresce et oppression al dite meson, en perpetuel et final destruccion d'icelle: Par quoi pleise a nostre dit seigneur le Roy et a son honourable Conseil ordenir remedie et redresse de tiels injuries et destruccion, en oeure de charite.

Printed in Rot. Parl. III. 176 *b*. A writ on the Close Roll, 6 Rich. II, pt. 1, m. 22, is directed against interference by the Chancellor and proctors with the Prior's fair.

111.

Rot. Parl. III. 275 *b*.

13 Rich. II, A. D. 1389.

Abstract. To the King and Lords in Parliament: the Commons of the Realm show that since the twentieth year of King Edward I [1292] many great possessions have been purchased and amortized by churchmen which ought to have been assessed to the tenths and fifteenths, but lately collegiers and others of the town of Oxford who have purchased large part of the town are trying in this present Parliament to have all their purchases unduly exempted; pray that no such bill be carried through without general assent of the commons.

Compare with this No. 115.

112.

Anc. Pet., File 21, No. 1034.

13 Rich. II, A. D. 1389.

Abstract. To the King and Council: the Chancellor, Wardens, Provosts, Masters, and Scholars of the University show that their tenants in Oxford and those who pay their rents are assessed for the tenths granted by Parliament, and pay in proportion to their moveables like others in the town; nevertheless the collectors of tenths are distraining the Masters and scholars anew to pay on their said rents in the town, against previous usage and reason. Pray a remedy against this wrong, that they be not henceforth charged to the said tenths for

the rent of their tenements, which are occupied and inhabited by their tenants who pay for their moveables according to their proportion.

Printed in Rot. Parl. III. 276. No. 1035 of the same File 21 is another copy of the same petition.

113.

Rot. Parl. III. 301 *b.*

Abstract. The Commons in Parliament, requesting the King and Lords of the Council to deliberate as to the Statute of Provisors and how best to modify it, pray him to keep 'tenderly at heart' the state and relief of the Universities of Oxford and Cambridge. 16 Rich. II, A.D. 1392, 1393.

As to the evasion of the Statute of Provisors (passed 1351, rehearsed and confirmed 1390), and its partial suspension, see Stubbs' 'Constitutional History,' ed. 1880, ii. 633, 634 *note*, and iii. 355. The interest of the University in the matter of Papal provisions is indicated by petitions Nos. 88 and 117.

114.

Rot. Parl. III. 613.

Abstract. Petitions in Parliament. The Commons, on behalf of the knights, esquires and gentry of the counties of Oxford and Berkshire and of the Mayor and burgesses of the town of Oxford, recite how the King lately on disloyal suggestion granted letters patent to the Chancellor and scholars of the University of Oxford, to the effect that they and their servants should not be answerable before the King's judges for treason, felony, or mahem, committed in these counties or the town, but only before their own steward in the town; and if they plead on the issue of the country half the inquest to be of their privileged men [returned by the Beadle of the University], and that the King's judge or minister must give them the indictments when required on pain of £200, which is against law, common right, and the King's regality, and the liberties of the petitioners, and offers matter for dissension between them and the scholars. Pray that the said letters patent be annulled and revoked. 9 Hen. IV, A.D. 1407.

Reply. Let the matter be committed to the King's Council, and inquired into and put into the best way till the next Parliament, and let the charter as far as it touches the franchises of others be suspended till then. *French, abstract.*

This petition was repeated in the same terms (except that the phrase as to the beadle was introduced) in the eleventh and thirteenth years of the same king, but received different replies (Rot. Parl. III. 638 *b*, 660 *b*). In the opening petition of the Parliaments of 1407 and 1411, praying for the maintenance of liberties and franchises in general, the obnoxious grant to the University was expressly excepted (ib. pp. 613 *a*, 659 *a*).

115.

Rot. Parl. III. 645 *b*.

11 Hen. IV, A.D. 1410.

Abstract. The Commons in Parliament on behalf of the Mayor and commonalty of Oxford, show that the town is charged to every fifteenth and tenth with £91 14*s*. 10*d*. to be raised in the town and suburbs. To which sum divers churchmen having lands and tenements purchased since 20 Edw. I are contributory and have paid, till the grant at the last Parliament held at Gloucester, to which they refuse to pay nor to any other such grant in future. Please you to consider that the greatest part of the said town and suburbs is in the hands of men of the church, and their tenants for the most part are scholars who pay nothing to this share. Pray remedy, and that these churchmen shall pay henceforth as they did before the last grant at Gloucester.

Reply. All these men of the church shall pay to the fifteenth for the said lands and tenements. *French, abstract.*

See a similar petition in 1389, No. 111.

116.

Rot. Parl. III. 651, 652.

13 Hen. IV, A.D. 1411.

Abstract. The Archbishop of Canterbury in Parliament presented a long schedule, which he prayed might be passed, touching the disputes as to his right of Visitation of the University of Oxford, and in settlement of the same: he recited the previous proceedings in the time of Richard II and the present King, proposing that all members of the University shall be henceforth subject to the Visitation of the Archbishop of Canterbury, notwithstanding any Papal bull to the contrary; on resistance their franchises shall be seized and they shall pay £1000 to the King. This was passed and ratified after full deliberation [*Latin*]. After this, the Archbishop of York having claimed certain privileges of visitation of the Queen-hall in Oxford, the Archbishop of Canterbury, in the presence of the King and lords, promised that if

York could show by any privilege or record that Canterbury ought not to exercise the visitation of that College he would abstain from it; saving to himself the visitation of the scholars dwelling in the College, according to the judgement and decrees of King Richard and the present King. [*French.*]

See petition, 2 Rich. II, No. 104.

117.

Rot. Parl. IV. 81 *b.*

Abstract. The Commons in Parliament: whereas formerly the clergy of the realm increased and flourished in the Universities of Oxford and Cambridge, but since the Statute of provision and against provisors was made the clergy is lamentably extinct and despised, and the clerks studying are not advanced nor promoted; thus great errors and heresies against God and man, and rebellion against the King have arisen, and the Universities suffer desolation and disheritance of their spiritual sons and profitable students, to the prejudice of the church, extinction of Christian faith, and bad example to other realms:—Pray that some remedy be had, that the humble and poor clergy may increase, be promoted, and have substance whereon to live honestly each according to his degree. 3 Hen. V, A.D. 1415.

Reply. On the King showing the matter in this petition to the lords spiritual, they have promised to remedy it. *French.*

118.

Rot. Parl. IV. 159 *a.*

Abstract. To the King: the Black Canons of the Augustinian Order: whereas lately at Leicester we showed the King that other religious have proper colleges and places within the University of Oxford in order to continue their studies in the schools there, except your petitioners, and the Bishop of Exeter being ordered to inquire for any suitable place in the said University, has found three messuages and four tofts of land for sale, on the Candiche near the monks of Durham, outside the walls of the University, of the annual value of four marks;—pray that the Chancellor and Treasurer of England may buy, and that the King will grant the said property to the petitioners, without fee; and they will build a house for study thereon at their own cost. 9 Hen. V, A.D. 1421.

119.

Anc. Pet., File 24, No. 1158.

9 Hen. V, A.D. 1421.

Abstract. Presented by the Commons in Parliament (see Roll).

'Please a tressages communes de cest present Parlement de considerer;' whereas a great number of scholars and clerks of the University arrayed for fighting have often ousted and turned out many men of the counties of Oxford, Berks, and Bucks from their lands and tenements, threatening to beat and kill them and others, whereby for fear of death these dare not remain; also they hunt with dogs and harriers in divers warrens, coningries, parks and forests in those counties by night and day, taking deer, hares and rabbits, and menacing the wardens and foresters; also they have by force set free clerks convicted of felony and imprisoned. Pray that a statute be passed enacting that Justices of assise of gaol delivery and of the peace in those counties may have power to inquire of such misdeeds by a jury of twelve men, and to proceed against them; if they appear and are found guilty, that they be fined to the King £100 or suffer three years' imprisonment, not to be released by the prison-wardens on pain of 100 marks; if they do not appear, that they be outlawed; and in both cases that the Chancellor, on the warrants of the Justices, banish the said clerks from the University for ever, on pain of 100 marks to the King.

Endorsement. Mem. quod ista petitio et responsio eiusdem irrotulantur in rotulo parliamenti tenti apud Westmonasterium secundo die maij anno regni regis Henrici quinti post conquestum nono.

But this document does not contain the *Responsio*, for which we must turn to Rot. Parl. IV. 131, where the whole petition in full is printed, from the Roll, together with the *Responsio*, which ordered that the statutes and the common law were to be kept in such cases; and that any scholar outlawed for any matter as specified should be certified by the justices to the Chancellor, who thereupon should banish him from the University 'maintenant sanz difficultee, sur peine q'apent.' This ordinance to last till the first Parliament which will be held after the return of the King to England from abroad.

120.

Rot. Parl. IV. 190.

1 Hen. VI, A.D. 1422.

Abstract. The Commons show that there have been murders, felonies, robberies, and riots, &c., lately committed in the counties of Oxford, Berks, Wilts, and Bucks, by persons coming to the town of Oxford and by others living in the town under the jurisdiction of the

University, some of whom are the King's lieges born in Ireland and others his enemies called 'Wylde Irisshmen,' and these misdeeds continue daily to the scandal of the University and the ruin of the country round about; the malfactors threaten the King's officers and the bailiffs of the town, so that these last, for fear of death, dare not do their duties nor collect the fee-farm, &c. Pray therefore that all Irish be turned out of the realm between Christmas and Candlemas next, except graduates in the schools, beneficed clergy in England, those who have English father or mother or English husband or wife, and many other exceptions, persons of good repute. And that the graduates and beneficed men find surety for their good behaviour.

Reply. Be it as desired; adding that Irish scholars who are not graduates must find surety for good behaviour, and that all others who wish to remain in England must bring letters of allegiance from the Lieutenant or Justice of Ireland to the Chancellor of England. *French.*

In the following year, 2 Hen. VI, 1423, there was added to this ordinance that the surety for good behaviour was to be taken by the Chancellors of Oxford and Cambridge for the scholars in those towns, and for others by Justices of Peace in counties and Mayors and bailiffs in cities and boroughs (Rot. Parl. IV. 255 *a*). In 8 Hen. IV, 1429, the troubles caused by the Irish scholars, 'who had nothing to live on,' were increased by their burning numerous houses, for which the Scotch and Welsh scholars also fell under suspicion; the Commons petitioned that strong measures might be taken against scholars of all three countries in both the Universities of Oxford and Cambridge. The reply made, however, was that previous statutes against the Irish ought to be duly executed; the rest of the petition would be considered (Rot. Parl. IV. 358).

121.

Rot. Parl. IV. 195 *b*.

Abstract. To the Duke of Gloucester and the lords in Parliament: the Friars preachers of London, Cambridge, and Oxford, and the Friars minors of Cambridge and Oxford, pray that certain annual monies granted to them by Henry V (in the case of Oxford fifty marks to the Prior and Convent of Friar preachers, and fifty marks to the Warden and Convent of the Friar minors), whose death caused the letters patent to become void, may be assured to them. 1 Hen. VI, A.D. 1422.

Reply. Be it done as desired. *French.*

These grants were exempted from the Acts of Resumption of Edw. IV (1464–1473). See Rot. Parl. V. 520 *a*, 597 *b*, VI. 90 *a*; and No. 96.

122.

Rot. Parl. IV. 306 *a*.

4 Hen. VI, A.D. 1425. [In English.]

In a petition of the Commons praying that the beneficed clergy should be resident in their benefices, and pointing out the mischiefs of non-residence, exceptions were made, one of which was—'Except clerks beyng at Oxenford and Cambrigge for yare lernyng, and not for averice nor oyer vices, so yai pas not ye age of xl. wynter.'

123.

Rot. Parl. IV. 467 *b*.

11 and 12 Hen. VI, A.D. 1433.

Abstract. The Commons pray for the King's licence in mortmain —which is given, and follows printed in full—that Thomas Coventry, Thomas Denton, Laurens Cheyne, John Chaldewell (clerk), and Richard Foster may grant to the Prioress and nuns of the House of St. Nicolas, of Littlemore, co. Oxford, 60*s*. of annual rent arising from six messuages and five acres of meadow in Oxford, in exchange for lands and tenements, fisheries, and their appurtenances belonging to that House in Berewey, Ely, and Thetford, co. Cambridge.

124.

Rot. Parl. V. 174 *b*.

28 Hen. VI, A.D. 1450.

Pro Hospitio Regis. In the Act ordaining supply from different sources to be annually assigned by the Treasurer of England for the King's household expenses two items are:—'De Burgensibus Ville Oxon', de firma ville sue, £35; de Telaribus Oxon', pro gilda sua per annum, 42*s*.'

The first of these was saved in the Act of Resumption of 4 Edw. IV, but in the seventh and eighth year of that King (1468) it was assigned as part of the provision for the Queen's household expenses (Rot. Parl. V. 518 *a*, 626 *a*). As to the weavers' gild, see note to No. 67.

125.

Anc. Pet., File 132, No. 6596.

? 28 Hen. VI, A.D. 1450.

Abstract. The Provost and scholars of the 'Collage in Oxenford called the Oriell' pray that their manor of Waddeley and Wykyngesham in Berkshire may be excepted from any Act of Resumption to be made in this Parliament:—their first foundation 'extendeth not to £40,' and Master John Frank, Clerk of the Rolls, came in aid with

a bequest of £1,000, that they might have the reversion of the manor, which bequest was allowed by the King's letters patent; the manor was appropriated to the church before King Stephen's days, and so remained till King Edward III, but has since been in secular hands. Several pensions and exhibitions for scholars are charged upon it.

English.

This property was included among the exemptions to six Acts of Resumption from 1450 to 1473; it is probable from the full detail of the above petition that it was sent in on the first occasion. (See Rot. Parl. V. 187 *b*, 222 *a*, 304 *b*, 469 *a*, 522 *a*; VI. 78 *b*.) The petition shows that the College had already adopted the name of Oriel.

126.

Anc. Pet., File 128, No. 6372.

Abstract. To the King's Council and to the lords spiritual and temporal in Parliament: the Warden and scholars of Merton College praying, that the circumstances of a gift of lands and tenements in the townes of Cambridge, Grauncete, Howys, Gyrton, Coton, Chesterton, Bernewell, Newenham, and Over, co. Cambridge, made by them to King's College, Cambridge (in trust to masters John Somerset and John Langton), on conditional exchange with the manor of St. Margaret Stratton, co. Wilts, to make up the full value of which they desire to have a corrody of 100*s*. from the Abbot of Glastonbury —should be considered, so that they be exempted from the Act of Resumption proposed by Parliament of lands that were held on the first day of the King's reign. 28 Hen. VI, A.D. 1450.

English, a few words torn off.

The above grant of lands in Cambridge was made by authority of the Parliament held at Bury, March 3, 1447, 25 Hen. VI; and effect was given to the whole petition as an exemption in the Act of Resumption of 28 Hen. VI. See Rolls of Parl. V. 133 *a*, 186 *a*. (Also further see ib. 363 *b*.)

127.

Rot. Parl. V. 185 *b*.

Abstract. Act of Resumption. Clause exempting from the operation of the Act any alien priories or other possessions granted by the King to the Warden and College of All Souls since the first year of his reign. 28 Hen. VI, A.D. 1450.

This seems to apply to other possessions than the manor of Wedon-Pinkney, which is included further down in the same Act (see note to No. 130). The Act of Resumption, 34 Hen. VI, contains a clause exempting 'the prioryes and possessions aliens of Langennyth, of Newe Abbey besyde Abberbury, of Seint Clere, of Rommeney, and of Upcherch with their appurtenances,' granted by the King to the Warden and College of All Souls, which appear to be the possessions above referred to (Rot. Parl. V. 304 *b*). The rights of the College were also saved in similar Acts of 4 and 7 & 8 Edw. IV (ib. p. 522 *a*, 606 *a*).

128.

Anc. Pet., File 28, No. 1388, and File 132, No. 6599.

33 Hen. VI, A.D. 1455. 28 Hen. VI, A.D. 1450.

To the right wise and discret comones of this present Parlement; Besechen mekely your contynuell oratours the Mair and burgeises of the towne of Oxenford. That where the said towne is charged to the kyng our soverayn lorde yerely of a fee-ferme of xl *li.* (beside another charge of xxiii *li.* v*d.*), and over that at every xvme and xme of iiii *li.* And howe that the said towne, in the dais what tyme the same towne was thus charged with the said sommes, was full enhabited with marchauntes, artificers, and (grete multitude of) lay people, and now is desolate for the more parte because of (diversez) statutz in diverse parlementez made, that noo man shulde take noon apprentices, but if the fadres (or the modres) of the apprentices myght spende yerely xx*s.* of freehold: So that the said lay people nowe in the said towne of dyvers craftes may not bere the charges aforsaid, ne serve and plese the clergie beyng in the Universyte that is there: Wherfore many scolers withdrawe theym and void the said Universytee, seyng that they may not have artificers to serve theym at their nede, to the perpetuell anyentesyng of the said towne, and grete hyndryng of the said clergie. Please it unto your wisdoms, the premysses tendrely considred, to pray the kyng our soverayn lord, that it lyke his highnesse, by th'advise and assent of his lordes spirituell and temporell in this present Parliament assembled, to ordeyne by auctoryte of the same that it be liefull to euery burgeys of the said towne of Oxenford, to take apprentice or apprentices, such as to hem semeth behofull, in semblable maner as the citezens of the Citee of London doo & use: howbeit that the fadre or fadres of the said apprentice or apprentices, have not ne never had eny freeholde in londes, tenements, rentes, services, or eny other possessions within this roialme. And that noon of the said burgeyses of the said towne, for takyng of eny such apprentice contrarie to the said statutz, by our said soverain

lord, ne his heires, nor noon other persone, be disturbed, inquieted, greved, vexed, or empeched, eny statute afore this tyme made to the contrarie notwithstondyng. Savyng allwey to the Chaunceller of the Universyte of Oxenford, and to his successours, ther custumes and privileges of old tyme hadde and used. Provided alwey, that noon of the said burgeises ne dwellers within the said toun, shall take to apprentice any scoler withoute th'assent and avise of the fader & moder or the speciall frendes of the same scoler. And this atte reverence of God and in way of charitee.

Reply. Le Roi s'advisera.

Soit baille as Seigneurs.

Printed in Rot. Parl. V. 337 *b*. Two copies, as noted above, are among the 'Ancient Petitions;' No. 6599 does not contain the words in brackets, nor the clauses from 'savyng allwey' to the end; and is printed in full in Rot. Parl. V. 205, under date 28 Hen. VI, A.D. 1450. The petitions of the two years otherwise differ but slightly, the earlier, however, states the amount of fee-ferme as £58 0*s*. 5*d*.

129.

Rot. Parl. V. 304 *b*.

Abstract. Act of Resumption. Clause exempting from the operation of the Act the Priory alien of Newenton Longvile granted by the King to the Warden of St. Mary's College in Oxford. 34 Hen. VI, A.D. 1455.

A similar clause of exemption, but without precisely naming the property, in favour of St. Mary's College, Oxford, is found in five Acts of Resumption, from 1455 to 1473 (see Rot. Parl. V. 304 *b*, 469 *a*, 522 *a*, 606 *b*; VI. 79 *a*). Another in favour of St. Mary Magdalen was made in 1 Hen. VII (ib. VI. 351 *a*).

130.

Anc. Pet., File 132, No. 6595.

Abstract. The Warden and Fellowship of All Souls rehearse that Harry Chicheley, Archbishop of Canterbury, paid £1,000 to the crown for immunities granted to Rich. Andrewe then Warden, which were resumed by Act of Parliament 28 [Hen. VI], and having no livelihood left except the manor of Wedon and Weston, otherwise Wedon-Pinkney, co. Northampton, worth £14 yearly, they petition that this be not included in this Act of Resumption. 34 Hen. VI, A.D. 1455.

Endorsement. Agrees thereto. (Both in *English.*)

The manor of Wedon-Pinkney had been exempted from the Acts of Resumption of 28 and 29 Hen. VI; in that of 34 Hen. VI, besides the same exemption, a special clause declares the surrender of Chicheley's lands shall not be prejudicial to All Souls, a restoration which may have been the result of the above petition. See Rot. Parl. V. 187 *b*, 222 *a*, 304 *b*, 522 *a*.

131.

Anc. Pet., File 29, No. 1438.

12 and 13 Edw. IV, A.D. 1472–1473.

Abstract. 'To the kyng our aller soueraigne lege lord:' the Chancellor and scholars of the University show, that the 'kepyng of assise of brede, wyne, and ale, and correction and punition therof' in Oxford and the suburbs had been granted them by the King's progenitors for the annual payment of 100*s.*, which sum was remitted to them for ever by letters patent of July 3, 1 Edw. IV, for the payment of 1*d.* a year only; but that remission is void for lack of provision in certain Acts of Resumption,—pray that it be ordained by Parliament that the said letters patent may hold good, such Acts of Resumption notwithstanding. [*English.*]

Reply. Soit fait come il est desire.

This is printed at length in Rot. Parl. VI. 33 *b*. As to the assise of bread and ale see note to No. 72.

132.

Rot. Parl. VI. 302 *b*.

1 Hen. VII, A.D. 1485.

In the Act of Supply for the expenses of the King's household, is the following item: 'Of the Abbot and Covent of Osney, of the half two water mylnes under the Castle of Oxford, with the mede called the Kinges mede, and halfe the fishing of the water called Temise,—by the hands of the same Abbot, covent, and their successours for the tyme beinge, £20.'

The same provision was assigned in 11 Hen. VII, 1495 (Rot. Parl. VI. 500 *b*).

133.

Rot. Parl. VI. 430 *a*.

5 Hen. VII, A.D. 1489.

Abstract. To the King in Parliament: the Warden and Fellowship of All Souls College show that Henry VI founded the said College

and granted to Master Richard Andrew, Warden of the College, certain manors, lands, and possessions by letters patent which they enjoyed till an Act of Resumption of 1 Edw. IV, by which some of the said possessions were resumed and seized into the hands of the King; howbeit the Warden and College have at all times occupied the premises, and have continued to take the profits, till lately process has been made upon them out of the Exchequer. Pray that the King will confirm to them these and all other grants of his blessed uncle, that or any Act of Resumption notwithstanding.

Reply. Soit faite come il este desire.

134.

Rot. Parl. VI. 517.

In the Act granting a subsidy to the King in this year, express provision is made exempting the lands and tenements and possessions amortised and belonging to the Universities of Oxford and Cambridge from being charged to the said subsidy. 12 Hen. VII, A. D. 1496.

A similar clause was inserted in the Act granting the same King aids to make his eldest son a knight and to marry his eldest daughter, in 1503 (Rot. Parl. VI. 534).

PART III.

POEMS

RELATING TO THE RIOT BETWEEN TOWN AND GOWN

ON

ST. SCHOLASTICA'S DAY (FEB. 10, 135$\frac{4}{5}$)

AND TWO FOLLOWING DAYS

TRYVYTLAM

DE LAUDE UNIVERSITATIS OXONIAE

EDITED BY THE

REV. HENRY FURNEAUX

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POEMS RELATING TO THE RIOT.

INTRODUCTION.

THESE poems are all given in one manuscript (Bodl. 859, fol. 292 b–294 b), a volume containing a large amount of various matter, and taken to have been written in the early part of the fifteenth century. This portion of it seems intended to be a collection of the then known poems on the subject, which, taken separately, may have been of various dates, and may have existed in other manuscripts.

The first and longest poem ('Planctus Universitatis'), for which we have now no other source, is distinct in metre and treatment from all the others, being a supposed dialogue between the University and one of its scholars in rhythmical quatrains; the four lines of each rhyming at the end, and the two pairs within each four rhyming also in the middle. The dialogue purports to take place while the events were still fresh; the real date may be somewhat later. Edward III, his Queen, and the Prince of Wales are all spoken of (vv. 129–136, 177–184) as one would speak of the reigning king and of persons still living; and there is reason to think that it was written earlier than one of the other poems, which is itself to be dated before this king's death (see below on III): also, if 'caput Albaniae' is rightly interpreted (see note on v. 132), it was probably written before David of Scotland had been released. On the other hand, the reply of the University (vv. 201 foll.) is such as would have been written after time had been given for matters to settle down, and for more permanent consequences to disclose themselves. A date circa 1356–1357 would satisfy these conditions.

The other poems are all hexameters or elegiacs; and the first of them, wishing long life to 'Henricus' (probably

Henry IV), cannot have been written earlier than the latter part of 1399. It is nevertheless possible for the following poems to have been of earlier date; and one of them (III) seems shown to be so by being contained also in another MS. (Merton Coll. 306), taken, as regards its general contents, to have been written about 1375–1380. The poem, though there standing isolated in a vacant page among other matter of a perfectly different character, does not, in Mr. Madan's judgement, show any trace in its handwriting, &c., of being a later insertion. This would seem to show that the 'rex Anglorum' addressed in it is not the 'Henricus' of the lines which precede it in the Bodleian MS., but either Richard II, or more probably Edward III, who would most appropriately be addressed as feared of all nations (v. 9) and as 'rex invicte' (v. 29). While this would lead us to date it as written in the lifetime of that king, the fact that it seems to borrow ideas from the 'Planctus' (see note on III. 5–8), suggests that it was written after that poem.

The internal evidence of the epigrams (IV–VI) and the descriptive poem (VII) suggests for them also an earlier date than that of Henry IV, which would be at least some forty-five years after the events.

The most probable supposition seems to be that the poems III–VII had been already collected from various sources by a compiler of the time of Henry IV, who had prefixed to them the dedicatory lines (II) to the reigning king, and that the scribe of Bodl. 859, perhaps a few years later, having obtained the 'Planctus' from another source, completed his collection by appending this series as he found it, prefixing such titles as 'sequuntur versus de eadem materia,' 'item versus,' 'versus.'

The whole series has been transcribed by Twyne and by Wood, and their transcripts (preserved in the Archives and in the Bodleian respectively [1]), though possessing no independent value, sometimes contain conjectural emendations worthy of mention. The Bodleian has also transcripts of portions of VII by Richard James [2], and of more than half the

[1] Twyne, xxi. 634; Wood, 7, p. 191 (O. C. 8620).
[2] R. James, 19, p. 148.

'Planctus' by Hearne [1], and the latter has edited and published VII (see Introductory note below), which is, as far as I know, the only portion of the poems (except a few lines quoted in Wood's Annals) that has ever been printed.

The poems may add some touches, though probably not many, to what is already known of the facts and incidents of the fray. The forged royal edict alleged to have been put forward by the townsmen (I. 82–84), the large number under imprisonment or other sentence (I. 141), the alleged reaction in the country round (I. 153–156), the introduction of the Queen and Prince of Wales as defenders of the University (I. 177–184), the subsequent decay of discipline (I. 225–240, &c.), and degradation of learning (VII. 75, &c.): these and other statements are worthy of note, if we had but more effectual means of testing their truth. On the other hand the whole collection is evidently one of highly-coloured partisan literature; the origin of the whole is set down to the malignity of the enemy; not a word is said about the tavern brawl in which the fray took its rise, and in which it is evident from other accounts that provocation was given by the gownsmen concerned in it. The view that their conduct was from first to last the merest and most necessary self-defence is hard to reconcile, as Mr. Rashdall has pointed out (p. 406), with the submission made to the Council and general pardon for transgression received from it [2]. Nor can we accept the view so often insisted on (I. 117–120, 244; III. 4, 13–16; VII. 2, 17–18, &c.) that the cause of the University was the cause of the nobility of England against an insolent and aggressive rabble. Bereford and others concerned were citizens of good position, and in the antecedents of the strife may have had substantial grievances to plead; though in the riot itself the townsmen put themselves utterly in the wrong by summoning the country folk, and using their overwhelming force to inflict a murderous vengeance, for which the penalties imposed could have been but a slight redress.

It must also be borne in mind that such writers do not even

[1] Rawlinson, B. 106, fol. 60.

[2] That the subsequent conduct of University men tended to provocation is admitted in one or two places (I. 234, 269).

profess a strict historical purpose, but seek evidently to give a lively picture with incidents selected for effect; while in the words and expressions and other details much will have to be allowed for the mere exigencies of rhyme and metre.

It may nevertheless be hoped that such sketches, of contemporary, or nearly contemporary, date, whatever their deficiencies when put under the light of criticism, will be read with interest by students of the academical or general history of the period.

I could wish that the task of editing them had devolved on some one less unfamiliar with the subject; but I trust that the notes, for which I am indebted to such well-known sources as Wood, Mr. Boase, and Mr. Rashdall, will give some help towards explanation; though I fear that much still remains obscure and unintelligible.

Throughout this series of poems, and also in that of Tryvytlam which follows them, I have received kind assistance from Mr. F. Madan in a far greater number of instances than it is possible to specify in their places.

I. PLANCTUS UNIVERSITATIS.

SUMMARY OF CONTENTS.

Dialogue between the University and a Scholar.

Scholar (vv. 1–8).

Mother, why are you so sad? Tell me your grief, and I may show a remedy.

University (vv. 9–124).

Enemies have risen against me, those whom I have lifted out of the mire, especially John de Bereford, who was of low birth, rescued by me in boyhood from peril of a charge and made a servant to the scholars. By trading with the wages received from me he has grown rich, and has prospered by cheating, and has become mayor. It is this viper who has formed this conspiracy against me and my scholars out of malice. On St. Scholastica's day the townsmen attacked the scholars with arrows; a few of the latter resist and put them to flight. Next day (v. 65) this fox makes proclamation in the king's name, and the townsmen arm. The scholars were few; but the nobles resist bravely from midday to sunset without food, and drive them back to Carfax. Then alas! they have no more weapons left; the rustics pour in by thousands through the gates; and a forged royal edict is issued, that the clerks are to be imprisoned as public enemies. The cry is 'havock,' they break into houses and set them on fire. The defenders, without arms, are wounded, cast into prison, despoiled of books, clothes, money, household goods, &c. On the next day (v. 105) more injuries are added. The Friars come to aid, bearing the Host before them as a shield, but even this is despised and treated with blasphemy. My children are slain, the noble are fallen; these indignities and the loss of so many of my sons give me this sorrow.

Scholar (vv. 125–200).

Let your sorrow cease: the great king, the terror of the nations, takes your part, and breaks your enemies like a potter's vessel. Two hundred are eating the bread and water of affliction in chains in London; six hundred are under the royal ban; penalties hang over all. The privileges of the burghers are suspended; the city is under an interdict; if they show themselves outside Oxford, the neighbourhood rises against them. The Royal edict restores all your privileges and gives many others. Your scholars can now rest safe under the royal protection and resume their studies. Return thanks to your great protectors: first and foremost to the King; to the Queen, your constant patroness and defender; to Edward Prince of Wales, who will beat down the proud and keep the peace of your students. The famous Earl of Stafford will draw his sword for you; you are supported by the Archbishop of York, the bishops of Winchester and Lincoln; the two noble brothers Charlton spare neither expense nor trouble in your cause. Peace comes back to you, and honour to your students.

University (vv. 201–252).

This is true, yet I am not what I once was[1]. I have cast aside, one after another, for their shortcomings, the great empires of the ancient world, Assyrians, Medes, Persians, Greeks, Romans. I have taught the Gauls and Germans, and cast them off when they despised the clerks; and, with me, the worldly power

[1] On the conception of the University here see note on v. 205.

left them also. I came to England, and long flourished at Oxford, but I see now that I am despised. I had my clerks by thousands, and kept down the laity. Now my numbers greatly shrink; and my virtues also are passing away from me. There are faults everywhere. The law is corrupted by fraud and bribery; the clerks are effeminate in dress and habits and provoke quarrels with the laity. I fear general corruption of character will ensue. Would that I could take my flight to the west, and find at the ends of the world a new and unspoilt race, ere the end of all things come.

SCHOLAR (vv. 253–272).

Do not give us up. The elders are sound, and the juniors will mend their ways as they grow older. Give preferment to the fittest; do justice to all; see that the clerks keep peace without bearing too hard on the laity, and all will yet be well.

UNIVERSITY (vv. 273–284).

After all the nations that I have tried, I still reverence Oxford and the charm of the place most. May those Canaanites and lepers of townsmen no longer disturb us and despise the nobles. May they learn that it is their best wisdom not to open old wounds but to keep quiet.

Fol. 292b. Col. 1.

PLANCTUS UNIVERSITATIS OXONIENSIS CONTRA LAICOS TEMPORE MAGNI CONFLICTUS.

SCOLARIS.

Plangis in gemitu, mater Oxonia,
Furentum fremitu, perdens praeconia;
Pullos dum proprios tua sub gloria
Fugat inglorios laicorum scoria.
Set parce lacrimis et metum dissere: 5
Cur sic exanimis sedes in cinere?
Quis tibi taedia temptat intendere?
Forsan remedia sciam ostendere.

UNIVERSITAS OXONIENSIS.

Fili, dum recolo de gestis singulis,
Nimirum excolo rivos in oculis: 10
Cum in me cominus hostes in iaculis
Patrarunt facinus horrendum seculis.
Dotavi debiles divo dominio
Quos fovi flebiles de sterquilinio:
Set hi spreverunt me in lenocinio, 15
Et deleverunt me in exterminio.

Line 1. The emendations introduced by Twyne, Wood, and Hearne in their transcripts, are noted as T., W., and H.

2. *praeconia*, probably 'your praise.' Throughout the MS. 'e' is written for 'ae' and 'oe.' As this may sometimes cause ambiguity, I have not followed it.

4. *scoria*, 'the refuse.'

10. As the MS. is very inconsistent in its use of 'u' for 'v' (as here 'riuos') I have not followed it.

13. H. thinks the MS. had originally *dotamus*, and W. so reads; T., by error, *vocamur* and *diurno*.

Iohannes exiit de Berefordia,
Hic a quo prodiit praesens discordia;
Per quem et exulant pacis praecordia,
Et in me pullulant litis primordia. 20
Hic puer primitus plebei sanguinis,
Exul et perditus loco propaginis,
Dum ibi metuit manum gravaminis
Sub umbra latuit mei velaminis.
Apud me serviens diu scolaribus 25
Dispensat gradiens cibos in laribus.
Post haec expercior in secularibus
Fit cito dicior suis comparibus.
Sumens a clericis larga stipendia
Emit a laicis rerum compendia, 30
Et postquam viguit hic epidimia
Male retinuit catalla nimia.
Verborum organis blandorum deditus
Extorquet orphanis urbanos redditus.
Sic in nostratibus hic magis praeditus 35
In magistratibus est maior creditus.
Cicuta taliter in altum germinans
Surgit regaliter herbas exterminans;
Saevit in laicos severe dominans,
Semper in clericos severa machinans. 40
Ultra progreditur rampnus exuberans,
Matrem aggreditur proles degenerans.
Col. 2. In me subtiliter hostes confederans
Agit hostiliter hostis improperans.

17. We do not appear to have means of testing this account of Bereford's antecedents. He was originally drawn into this quarrel by being owner of the tavern in which the riot began. He suffered imprisonment, but ultimately died wealthy, and was a benefactor to the church (Wood). The inscription on his brass, once in All Saints' Church, is given in Boase, p. 91.

20. *pululant* MS.

31. *viginti* MS. So corrected by W., who notes *de pestilentia intelligendum*, i.e. the Black Death, 1349–51. For its effects in Oxford see Wood, Annals, i. 449, 453.

32. *catalla*, 'chattels'; used also of capital (Du Cange), and so apparently here.

33. *organis*: probably so written, but with 'o' and 'r' confused so as to resemble 'a.'

36. According to Wood he was then mayor. Mr. Boase speaks of him as having been such several times.

41. *Rhamnus*, *ῥάμνος*, a kind of thorn: cp. Plin. N. H. 24. 14, 76, 124. T. reads *damnis*.

42. *Martem* MS., W., H.: so corrected by T. (without note) in accordance with the context.

In sinu matrio calescens vipera 45
Spumat ludibrio virus et ulcera
Dans in nefarium manus ad aspera
Contra scolarium statuta libera.
Set obstant clerici tantis conatibus,
Certant pacifici pro libertatibus: 50
Collectis denique communitatibus
Rixa fit undique plena reatibus.
Die qua colitur sancta Scolastica,
Vae, sic extollitur haec fraus fantastica;
Fortuna flectitur mali pronostica, 55
Et laus reflectitur ecclesiastica.
Layci per angulos armati vagiunt,
Prius in parvulos sagittas iaciunt.
Ad hoc scolastici pauci resiliunt,
Et cito laici repulsi fugiunt. 60
Hinc vulpes temere parat insidias,
Fingit se tremere cleri malicias.
Guerrino turbine turbat vicinias,
Sub regis nomine proclamat patrias.
Sub ausu mutuo mane barbarice 65
Burgenses denuo armant se publice,
Inermes clericos invadunt bellice,
Viros pacificos tractant felonice.
Heu tunc inermium manus paucissima
Obstat scolarium pugna fortissima: 70
Scindit in arcubus arma foedissima,
Cadit in ictibus laica gens maxima.
Potenter feriunt manus nobilium,
Laicos reiciunt usque quadrivium.
A luce media ad solicidium 75
Abs quavis edia committunt proelium.

45. *matrio* (so in MS.) = *materno*, formed like *patrius*. T., W., H. wrongly read *matris*.
46. *ludubrio* MS.
52. *reatus* is used for 'guilt' in Vulg. and St. Aug.: see below, VII. 88.
54. *vesana* T.
57. *vagiunt*, possibly 'cry out'; or are *vagio* and *vagor* confused?
61. *Huic* and *hinc* not distinct in MS., no dot used.
62. Wood corrects to *militias*.
64. MS. apparently *preclamat*, tacitly corrected by T., W., and H
65. *manne* MS., probably *mane*, 'next morning,' i. e. Feb. 11 (see v. 105). W. and H. read *manus*, T. leaves a blank.
67. *invadiunt* MS., tacitly corrected by T., W., H.
74. *quadrivium*, Carfax: cp. VII. 19.
76. *edia*, 'food,' formed from *inedia*. W. and H. wrongly read *edra*.

Heu tunc scolaribus tela deficiunt,
Ecce prae foribus forenses veniunt,
Armati rustici milleni saliunt,
Nudati cleri domos recipiunt. 80
Tunc ad quadrivium bachatur; rusticus
Edictum regium fingit falsidicus.
Clamant banniferi quod quisque clericus
Tradatur carceri ut hostis publicus.
Fol. 293. In ipso sonitu plebs se conglomerans 85
Col. 1. Stridet in strepitu calces dilacerans,
Vexillo prodito ad domos properans,
Banno sic edito '*Ha wok*' vociferans.
Domos assailiunt in ignominia.
Securi feriunt necnon et ascia, 90
Post haec extrinsecus ponunt incendia,
Fortes intrinsecus defendunt hostia.
Ignes incuciunt, flammas in foribus:
Arma deficiunt, heu! defensoribus.
O sortis vanitas plena doloribus! 95
Probata probitas cedit tortoribus.
Lictores properant effractis domibus,
Mactant et vulnerant, madent sanguinibus,
Tradunt in vinculis plures carceribus,
Non parcunt parvulis nec sacerdotibus. 100
Ultra desipiunt captantes spolia,
Cuncta deripiunt supellectilia,
Libros, pecunias, munda, iocalia,
Vestes, corrigias, et utensilia.
Augent iniuriis vindictam crastini, 105
Clangunt in curiis parcentes nemini,
Fratres accumulant manus iuvamini,
Pro scuto baiulant, ha! Corpus Domini.

79. A syllable and a better rhyme to 'rustici' are wanted: *clerici* would supply the latter, but *cleri se* would give the best sense.
87. *vexillo*, &c.: for these details see VII. 27 foll.
90. *ferriunt* MS. 90. *ascia*, 'with axe.'
92. '*hostia*' = *ostia*, and so read by T. and W.
93. *incinerant* T. 97. *efractis* MS.
99. *carceribus*, esp. Bocardo: see VII. 49. 102. *superlectilia* MS.
103. *munda*, *iocalia*, 'ornaments, jewels.' T. has *munera*.
104. *corrigias*, used for a shoelace (see Tryvytlam, *laudes*, v. 327), also for *zona*, *cingulum* (Du Cange).
105. *dictam* MS. and W. and H. This correction seems required by sense and metre: 'they add yet more injuries to their vengeance.' *crastini*, i.e. on the third day (Feb. 12), see v. 65. In other accounts, this is the day of much the greatest havock and damage. 107. *Fratres*, 'the Friars.'

Fures inserviunt, fervent flagiciis,
Christum proiciunt summis blasphemiis, 110
Parvos eliciunt fratrum de gremiis.
Sanctos despiciunt summis conviciis.
Tremunt exiciis coetus infancium,
Caeduntur gladiis more bidencium,
Precantur veniam manus insoncium, 115
Non cessat quispiam rigor furencium.
Sic arcus forcium dormit dedecore,
Infirmi virium cinguntur robore,
Sic languet lancea, fit vis in vomere,
Fraus in iactancia, honor in onere. 120
Tot claris filiis orbata viliter,
Tantis suppliciis cruentans graviter,
Urgeor maesticiis incessabiliter,
Utor ciliciis, vivo lugubriter.

PLANCTUS SCOLARIS OXONIENSIS.

Parce maeroribus, o mater gencium, 125
Vale rumoribus, audi remedium.
Col. 2. Hostis hastucia ruit vi fraudium,
Tua tristicia fluet in gaudium.
En mundi gladius, Rosa miliciae,
Edvardus tercius potens rex Angliae, 130
Leo Brittanicus, rectus rex Franciae,
Pardus Ybernicus, caput Albaniae,
Futurus denique successor Romuli;
Quem tremunt utique gentiles populi,
In te complacuit pupillam oculi, 135
Hostes comminuit ut vasa figuli.
Ruit in rusticos virga iusticiae,
Maiores laicos captivat rabie;
Quos in compedibus cibant Londoniae
Limphis lugubribus pane tristiciae. 140

113. *exciciis* MS. 114. *traduntur*, T.
117. *dedecore*, 'in disgrace' or 'disgracefully.'
120. *cinere* T.
123. *urgor* MS., so corrected by T., W., and H.
124. *ciliciis*, 'haircloth,' Cic. Liv. &c.
132. *Albaniae*. Albu, or Alban, is an ancient Celtic name, strictly of a part, loosely of the whole of Scotland (W. F. Skene, Celtic Scotland, p. 1). Edward might well be called 'head' of that country, when its king, David II, was a prisoner in England, 1346-1357.
137. The king, March 5, appointed five justices to hold inquiry, and enlarged their powers, March 15. See Rogers, Oxford City Documents, p. 267.

Ducentos deicit duris carceribus,
Sexcentos subicit bannis regalibus,
Cunctos diripiet iugis fiscalibus,
Tandemque feriet poenis legalibus.
Burgenses nimiis lugent ploratibus, 145
Carentes propriis immunitatibus,
Maiorum titulis et potentatibus,
Exosi singulis regni magnatibus.
Nam interdicitur tota communitas,
Nec attribuitur ullis impunitas. 150
Aris catholicis cessat solempnitas,
Quousque clericis fiat indempnitas.
Contra maleficos fremunt viciniae,
Urgent hos laicos zelo superbiae.
Vix est qui exeat metas Oxoniae, 155
Quin graves habeat vices iniuriae.
Nec sic pertransit hoc sacrilegium,
Nam palam exiit edictum regium;
Nec quisquam laicus senciat remedium
Ni sic diffiniat cleri consilium. 160
Indulsit clericis maiestas regia
Cuncta quae laicis temptarunt odia,
Iuraque reddidit et privilegia,
Res amplas addidit et beneficia.
Datur scolaribus regia proteccio, 165
In te studentibus prompta defensio,
Nunc saeviencium cessat presumpcio,
In te regencium fiet resumpcio.
Refunde gracias votis regalibus:
Illum suscipias oracionibus. 170
Lauda prae ceteris mundi principibus
Per quem eriperis draconum faucibus.

142. MS. margin (in red letters) 'nota octingentos bannitos et carceratos.' The number is a round one, and we know not what to allow for the rounding. Among those imprisoned were Bereford, also Robert Lardiner one of the ballives, and John de Bedeford (see V and VI) and John de Norton, burghers: see Wood.

143. A fine of £250 was levied on the community.

147. *potentatibus*: cp. 'plena potentatu,' VII. 87.

149. The interdict of the Bishop of Lincoln (John Gynwell) was issued Feb 18, and lasted, with some mitigations, till 1357: see Rogers, pp. 259, 261.

152. *quousque*, here apparently 'until.'

159. *nec*: so in MS. W. reads *ne*.

163. Besides the restitution of former privileges, the control of the market was given to the University: see Wood, p. 466; Boase, p. 90; Rashdall, p. 406.

170. *suscipias*, 'take him up,' 'make him your theme.' W. reads *suspicias*.

Fol. 293 b. Dic iunctis manibus laudes cotidie
Col. 1. Cunctis proceribus tocius Angliae,
Et istis pocius patronis graciae, 175
Qui mihi prompcius currunt memoriae.
Anglorum gemmula, regina nobilis,
Regni coronula, decor amabilis.
Haec tua genitrix, patrona stabilis,
Defensans alitrix et incessabilis. 180
Edvardus filius princeps Wallensium,
Alter Corinius, comes Cestrencium,
Qui colla fodiet superbiencium,
Pacem custodiet in te studencium.
En miles maximus, expers vecordiae, 185
Hic celeberrimus comes Staffordiae
Tibi compatitur, et ensis acie
Clerum tuebitur ab hostis facie.
Primas egregius Eboracensium,
Pastor propicius Wyntoniensium, 190
Praesul in fascibus Lincolniensium
Pro tuis viribus sudant vi mencium.
Germani nobiles de Charleton gemini
Se ponunt stabiles tuo tutamini.
Non parcunt sumptibus neque vexamini, 195
Et florent fructibus in signo domini.
Nam his instantibus cum dei gracia
Maiorum nutibus complentur omnia.
Pax tuis finibus et cum victoria
Clares studentibus, Mater Oxonia. 200

173. For *iunctis* T., W., and H. wrongly read *mentis*.

182. Corineus is associated with the legend of Brutus the Trojan, and becomes the eponymus of Cornwall (as the latter of Britain), and is famed as a slayer of giants, especially Gogmagog, vanquished in a wrestling match on Plymouth Hoe. See Drayton, Polyolbion, i. 470–506; Milton, Hist. of Eng., Book I. Prince Edward, as Duke of Cornwall, is imagined as inheriting his spirit.

186. Perhaps the same as the 'Ricardus de Stafford,' named first of the five justices: see above, on v. 137.

188. *acie* MS. so corrected by W. and H.

189. John (de Thoresby), Archbishop of York and Chancellor, and William (de Edingdon), Bishop of Winchester, Treasurer, and shortly afterwards Chancellor, were the chief members of the Council to which both parties made submission (June, 1355). On the action of the Bishop of Lincoln see above (v. 149).

191. *in fascibus*, perhaps 'the bishop who bears rule at Lincoln,' or 'the bishop, acting magisterially.'

193. Humphrey de Charlton, S.T.P., was Chancellor of the University 1354–1356. His brother Ludovic appears to have succeeded him in 1357. Both of them, as also John de Charlton junior, LL.D., are prominent in the proceedings taken: see Rogers, p. 250. For these and other names see VII. 57–72.

198. *nutibus*, so apparently in MS. The meaning might perhaps be 'all things are accomplished according to the will of our ancestors.' T. reads *ritibus*.

PLANCTUS UNIVERSITATIS OXONIENSIS.

Fili, nunc gaudeo, vivo celebrius:
Tamen quod timeo audi secrecius.
Apud preteritos vixi perfeccius,
Quos hinc indomitos sprevi velocius.
Mea prudencia sprevit Assyrios, 205
Quos excellencia fecit inglorios.
Persas abhorruit, Medos eximios,
Quos luxus tenuit carnis obnoxios.
Post haec in Graecia artes institui,
Quas ex ignavia ibi deserui. 210
Tunc in Ytalia Romanos colui,
Quos ex saevicia post haec obrigui.
Instruxi postmodum superbos Gallicos,
Feci quemadmodum fortes Germanicos;
Col. 2. Quos pertinaciter spernentes clericos 215
Sprevi veraciter. Veni ad Anglicos.
Priores horrui propter haec vicia,
Ab illis corrui propter flagicia:
Mihi consenciit semper milicia,
Et mecum transiit mundi potencia. 220
Tandem Oxoniis diu reflorui,
Septem scienciis primatum tenui;
Ubi gravissimis signis innotui
Quod in novissimis fiam despectui.
Habebam clericos in multis milibus, 225
Domabam laicos in certaminibus.
Heu! meis graviter nunc decrescentibus
Marcesco taliter meis virtutibus.
Patet in oculis defectus macula.
Vigent in populis dicta piacula. 230
Favor et odium, fraus et munuscula
Iuri simplicium parant obstacula.
Patent in clericis crinis effeminans,
Gestus cum laicis rixas disseminans,
Vestis apocopa anum determinans, 235
Fastus in syncopa mores exterminans.

205, foll. The University here speaks as the spirit of learning and civilization in general, which has existed from time immemorial, and in various nations successively.

217. Hearne's transcript ends with this line.

235. *apocopus* has the sense 'abscissus' (Du Cange), and Mr. Rashdall informs me that 'togae indecenter accurtatae' were a very common complaint.

anum, W. and Rich. James. The MS. has apparently *anā*: T. has *anima*, perhaps intending to read *animam*.

236. The context suggests that some other irregularity of dress is spoken of; but

Tonsuram despicit ecclesiasticus,
Passimque respicit lucra causidicus,
Multos decipiet labor fantasticus,
Ex istis periet honor scolasticus. 240
Timesco graviter ne hic in posterum
Fiat similiter, optentu scelerum
Desit prudencia et sensus veterum,
Ruat milicia, quod absit, procerum.
O si respiciam plagas occiduas, 245
Et sic praeficiam gentes residuas;
Hae forsan salient in vires strenuas,
Ad tempus capient laudes praecipuas.
O si attigero ad latus circuli,
Et perlustravero sic mores populi. 250
Forte quis capiet notam signaculi
Quod cito veniet tunc finis seculi.

PLANCTUS SCOLARIS AD UNIVERSITATEM.

Non sic pertranseas, o regni gloria,
Nobiscum maneas divina memoria.
Fol. 294. Col. 1. In te nunc Anglici figunt tentoria, 255
Exultant Wallici tua victoria.
Absit quod propriis desis cultoribus
Quos sic eximiis reples honoribus.
Et si facilitas in iunioribus,
Manet soliditas in senioribus. 260
Licet nunc iunior agat lascivius,
Cum fiat senior aget perfeccius.
Hic pubescencium calor, ut saepius,
Habet ingenium cristallo clarius.
Set duc erroneos recto regimine, 265
Praefer idoneos doctorum culmine,
Dispensa gracias cum moderamine,
Redde iusticias aequo libramine.

I can find no such sense of *syncopa*. The word has the general meaning *defectus virium* (Du Cange), so the line may only mean 'a pride banishing good manners (or morals) in a state of feebleness.'

239. *laborum* MS., so corrected by W. 245. *Quod si* T.
246. *praeficiam*, 'confer supremacy on': T. and W. wrongly read *perficiam*.
252. *Quid* MS., so tacitly corrected by T. and W.
256. *Exulant* MS. The correction is not made by T. or W., but seems required by sense.
258. *exinijs* MS., tacitly corrected by T. and W.
259. *ingenioribus* MS., corrected by T. and W.
266. *doctori* MS., so corrected by T. and W. Perhaps *doctoris* should be read.
268. *reddo* MS., so corrected tacitly by T. and W.

Ponas in clericis pacis compendium,
Ne fiat laicis iniquum taedium. 270
Sic dominaberis in laude gencium,
Et prosperaberis; nulli sit dubium.

PLANCTUS UNIVERSITATIS AD SCOLAREM.

Quamvis experior omnem progeniem,
Fili, plus vereor Anglorum speciem.
Dat locus eciam summam temperiem; 275
Hic ergo capiam aeternam requiem.
O semen Chanaan Oxoniensium!
O lepra Naaman horum burgencium!
Non plus inficias regni solacium,
Nec sic despicias genus nobilium. 280
Sic quisque caveat ne suo scelere
Cicatrix exeat de prisco vulnere.
Fortuna se gerit fallaci foedere,
Felix qui poterit in pace vivere.

II.

On the date of these verses, and their probable relation to those which follow, see Introduction, p. 166. Their meaning is very obscure, but may perhaps be guessed at. The first two lines seem to say generally that good and evil have their turns: Scylla (here a very different conception from that of classical legend) quells the waves; Saturn, following the lead of Jupiter, drives them on. Sometimes poison (blight?) falls upon our fruits, sometimes a mournful theme (such as the present) may win us praise. May we in our turn have our Rachel after our Leah (a good time after a dreary one); for surely a race of Goliath (a race of giants and heroes) is a fitting sequel to a Tobias (a son brought up in exile and trouble). May we, like the Hebrews, find favour in the eyes of our Pharaoh; and long live Henry, who has himself been harassed by enemies.

283. *fedore* MS., 'o' for 'e' as in v. 268.

SEQUUNTUR VERSUS DE EADEM MATERIA.

Cilla domat fluctus, Saturnus agit Iove ductus,
Fel fluit in fructus, dant plausum themata luctus.
Fac nos, Christe pie, sic Rachel iungere Liae,
Quod stirps Goliae fit apta sequela Tobiae.
Sit coetus hebraicus diri Pharaonis amicus, 5
Vivat et Henricus quem trivit in his inimicus.

Line 1. *Cilla*, apparently Scylla: with *agit*, *fluctus* seems again supplied. By Jupiter and Saturn probably the planets so named are meant; but we should expect their influence to be antagonistic to each other: see Hor. Od. 2. 17, 22.

4. *Quod* = 'inasmuch as.' T. reads *sit* for *fit*.

5. *coetus*, elsewhere in these poems always used with its right quantity (e.g. I. 113; VII. 2, 6).

6. *quem*, &c. This has perhaps no special allusion. T. reads *ut* for *et*.

III.

That this poem is older than the one preceding it, and that the king addressed is probably Edward III, has been shown in Introduction, p. 166. It purports to be written when the students were still despoiled and dispersed (vv. 29, 30), and does not notice in any way the prompt and immediate royal intervention described in the 'Planctus' (vv. 129 ff.). It has the character of a mere exercise, and seems to add nothing to our knowledge of the circumstances. The king is urged, as he values the stability of his realm, the fortunes of learning and nobility, and his knightly vow, to restore the decadence of Oxford, and to recall the scattered students.

ITEM VERSUS.

O rex Anglorum, quae sunt iam facta videto.
Dudum gestorum signacula dura timeto.
Quid, rex, est clerum sic per laicos laniari?
Ut fatear verum, signat proceres superari.

Line 1. In this poem M. is used for the Merton MS., B. for the Bodleian. T. and W. follow B. closely: a marginal note (apparently by a later hand) in the former mentions M.

2. *signacula dura*, 'the stern warnings conveyed by,' &c.: cp. *signat* (v. 4).

4. *fateor* B. and T., text M. and W.

Col. 2. En, rex, a Graecis bellans fortuna recessit. 5
Cleri facta necis huius pronostica gessit.
Signum Roma tibi quae nunc armis viduatur.
Cur? quia clerus ibi nec floret nec dominatur.
En, rex, pro studio per singula regna timeris,
Tu quia de proprio clero responsa mereris. 10
O rex, tu videas spes hic discentibus an sit.
Ut faculam foveas scintilla decora remansit.
Rex, si sit per te cleri facies relevata,
Est tibi tunc certe victoria magna parata.
Si fons siccetur laico regnante furore, 15
Miles vincetur belli privatus honore.
Tu miles iuras cleri defendere iura:
Cur nunc non curas inflicta sibi mala dura?
Rex, princeps, miles, clero, rogo, consocia te.
Quisquis ad ista siles, fugiet vigor et decus a te. 20
Haec duo si coeant sociali iuncta valore,
Non sunt qui valeant nostros privare vigore.
Hoc scio, quod clero miles bonus omnis adhaeret;
Solus pro vero falsus sua prospera maeret.
Oxoniae pereant rores et germina terrae, 25
Singula te subeant strages et iurgia guerrae.
O plebs ingrata, regi mala signa parasti:
Dura tibi fata venient quia tanta patrasti.
O rex invicte, pueros recolas spoliatos,
Sis rex vindictae, revocans terrore fugatos. 30

5. *Cur* B., *En* M. The thought of these lines seems borrowed from the much fuller expansion of the same idea in the Planctus, vv. 205–220.
6. *facta* seems taken as a nominative singular: 'the action of the clerks bore with it the presage of this death.'
10. *tu*, here and v. 17, seems written 'tui' in B. The meaning of these two lines seems to be: 'you are feared in all the nations for your zeal and energy, because you win answers (win approval?) from your clerks.'
12. *faculum*, B., text M.: 'facula,' dim. of 'fax,' Plaut. &c. The spark from which the torch might be relit seems to be the students not dispersed.
19. *socia* B., text M.
23. *omnis bonus miles* B. and T., *bonus omnis miles* W., text M.
25. *pereunt* B., *pereant* M.
27. *si* B. and W., O. M.: with either reading *plebs ingrata* is vocative.
30. *revoca* B., *revocans* M.

IV, V, VI.

These epigrams contain no evidence of their date, but must have been written when the names alluded to were still remembered and the allusions were intelligible. To us they are

conundrums only partly soluble and hardly worth solution. On the matrimonial quarrel described in the first (IV) no light from any other quarter can be thrown. In the second (V) the allusions to Bereford and Bedeford in the first two lines were pointed out by Wood (Annals, Book i. p. 458, ed. Gutch). The last two lines (which he did not read correctly) he gives up altogether. The supposition that some other leading townsman may have had some such name as 'Gifford' is, as far as I know, wholly unsupported by evidence, and can only be recommended as making the lines in some way intelligible. That the third (VI) was a riddle on the name of Robert Lardiner, the ballive, was pointed out by Wood in the margin of his transcript.

IV. VERSUS.

Clerum sponsum odit, amat uxor, lis ita prodit.
  Sponsum sponsa ferit, vir cadit, illa terit.
Dum cadit in tergo sub coniuge clamitat ergo
  Parce, maritus, ego scandala falsa nego.
Dum miser implorat et pacem coniugis orat, 5
  Quos prius infamat verbere victus amat.
Quamvis invitus fit clericus ipse maritus;
  Sic faciet giro femina quaeque viro.

Line 1. Perhaps *sponsus clerum odit* should be read.
8. *quoque* MS., corrected by W. 'so will each woman do to her husband all round (*gyro*?).'

V. VERSUS.

Urgent ursina vada perturbando bovina,
  Et vada dicta precis sunt vada dicta necis.
G vada bacchando sunt d vada dampnificando,
  G bene si radis d capud adde vadis.

Line 1. 'Bereford (see Planctus, vv. 17 foll.) is harassing Oxford with disturbance; Bedeford (see note on Planctus, v. 142) is become deathford.'
3, 4. The MS. appears to have 'G' in each line. T. reads 'Et' and 'O.' Wood (Annals) follows him.
3. *bacando* MS. Wood seems wrongly to read *vacando*, and (in Annals) has (after T.) *bacandae* and *damnificandae*. The only meaning which can be suggested for these lines is 'G. ford ("Gifford"?) in his rioting has become d. ford by injuring: if you duly erase "G," add "d" as a heading to "ford."' *Dampnificando* seems here to mean *damna faciendo*, as in legal phraseology of the time: cp. '*in dicto conflictu damnificatis*' (Rogers, p. 251): see VI. 3.

VI. VERSUS.

Lar, demon, Nero, tria sunt sine parcere vero.
  Iunge simul capita, tunc fuit unus ita.
Lar latro larvatus, de demon dampnificatus,
  Ner nequam Nero : sunt haec res pessima clero.

1. *sine parcere vero*, 'without sparing truth,' i. e. telling truth without reserve.
2. T. reads '*fiet*.' The sense would be better; the false quantity not conclusive against it.
3. *larvatus*, 'bewitched' (Plaut. &c.): could it here mean 'masked' (cp. *larva*, Hor. Sat. i. 5, 64)?
dampnificatus, here apparently = *damnatus*; or perhaps 'punished for his crimes' (cp. V. 3). T. reads *daemone*.
4. *sunt haec*, i. e. 'my whole is.' The break-off into a hexameter ending seems due to the need of space to express the meaning.

VII.

This poem, besides being contained with the others in the Bodl. MS., is or was contained in a MS. (of which nothing appears now to be known) lent to Hearne by Thomas Rawlinson.

Hearne has printed it in an appendix to the sixth volume of his edition of Leland's Itinerary, first published in 1711.

His text is based on the Rawlinson MS. (here cited as R), with a careful collation of the Bodleian also (B) and with his own notes. The Rawlinson text appears to be in most cases, though not always, better than the Bodleian. The former also contains sixteen lines not in the latter (the latter, on the other hand, four lines not in the former), and has a heading (see text); the latter being only headed 'Versus,' like the preceding poems. Twyne and Wood follow B, except when otherwise stated. The poem contains no internal evidence of date, except so far as the liveliness of the description suggests that it was written when the events were still fresh in memory. In some graphic details it is the most interesting of the series.

SUMMARY OF CONTENTS.

Oxford, its clerks, its nobles, are brought low, the slave supplants her mistress. After a gallant resistance the scholars are overpowered. They force their way to Carfax, but the rustics come pouring in, burning the gates, displaying a black flag,

as if the king were dead, crying 'slay,' 'havock,' 'smite,' blowing horns, using bows and arrows. Plunder and bloodshed are everywhere; the halls are broken into; young and old suffer alike; all are scattered; many are thrown into Bocardo, with their wounds uncared for. The protection of the Friars and of the Host is of no avail. What do such things portend? Ye brothers Charlton, come to the rescue, lay low the thieves who destroy the books. Nevill, rouse yourself and show your ancestral courage. Beauchamp, young as you are, be like men of years, be brave. Friars, proclaim the ruin of the clerks, who have to abandon learning for sordid traffic. The sheep are scattered; the shepherds deposed; the noble city has become the sport of rustics, and is stained with crime. May Fortune take a turn in our favour; may God avenge our wrongs and restore to us peace.

VERSUS DE DISCEPTATIONE[1] QUAM SCOLARES OXONIAE HABUERUNT DE VILLANIS, ET QUALITER VILLANI EOS EXTRA VILLAM OCCIDERUNT.

Fol. 294 b. Col. 1.

Oxoniae clerum fleo iam stimulante dolore,
Dum coetum procerum dispersum cerno timore.
Quae quondam viguit moderamine clericulorum
Iam primo riguit, teritur quia fraude malorum.
Cleri flos mundi patitur, fit et exicialis, 5
Dum manus immundi coetus premit hunc laicalis.
Iam regit ancilla, dominatrix suppeditatur,
Heu mala sors illa dum servula sede locatur.
Mors in Marte furit fera, gens mala plebsque nephanda
Sic clerum prurit quod et arma tulit bajulanda. 10
Gens praemunita stipataque vi jaculorum
Plures sternit ita virtute rotata suorum.
Plures incedunt armati vel galeati,
Et pueros laedunt quod non pugnare parati.
Tunc quantum poterant pueri laicos reprimebant, 15
Et simul obstiterant defendere se satagebant.
O quantum prodest pravorum pellere saltum!

Line 1. *nunc* B.
2. So H. after B. *cum totum procerum* R. T. and W. *unde.*
5. H. suggests *clerus*: *cleri*, if read, must be taken adjectively.
9. *Mars in Marte furit, fera gens* B.
10. *prurit* R. and H. *prorupit* B. To read *In* for *Sic* would improve the sense.
11. *praeminita* R. *premitiva* B. *praemunita* H.
12. Can *rotata* mean impelled? *Dotata* would make better sense; and that it would be a false quantity is hardly conclusive against it.
13. *galiati* both MSS.
14. *rarati* R., *parati* B. and H.
15. *reseruabant* B., text R. and H.; also W. (in margin).
16. *nam simul obsteterant* B.

[1] *deceptione* R.

Asperius nihil est humili cum surgit in altum.
Larga Dei pietas! iuvenes Quadrivia quaerunt;
Magna set anxietas decepti dum redierunt. 20
Clericulos contra dum pugnant Oxonienses,
En dolus e contra, subito venere forenses.
Tunc orientalis aditus petitur sine cuncta,
Nec rumor talis legitur per secula cuncta.
Urebat portas agrestis plebs populosa: 25
Post res distortas videas quae sunt viciosa.
Vexillum geritur nigrum, '*sle, sle*' recitatur,
Credunt quod moritur rex, vel quod sic simulatur.
Clamant '*havak, havok*,' non sit qui salvificetur:
'*Smygt faste, gyf good knok*,' post hoc nullus dominetur. 30
Cornua sumpserunt, et in illis '*owt*' resonantes,
Clericulos quaerunt, lepores velut exagitantes.
Armaque multa ferunt agrestes arcitenenses,
Quos conduxerunt burgenses Oxonienses.
Hi mala fecerunt, aliquorum non miserentes; 35
Plures venerunt victum sibi surripientes.
Scocia, Francia, forcia proelia quando dederunt,
Talia devia, tam quoque vilia non retulerunt.
Brachia, crura, pedes mucro vorat, et rogus aedes;
Tam viles caedes, puto, non fecit Diomedes. 40
Tradunt cuncta neci praedaeque cupidine tacti:
Non cessare preci laeti de turbine facti.
Invadunt aulas, '*bycheson cum forth*,' geminantes:
Fregerunt caulas simul omnia vi spoliantes.
Sic occiduntur plures. In finibus istis 45
Quod disperguntur omnes reliqui, bene scistis.
Sicque senex patitur, iuvenis quoque presbiter ille

19. *nudi* for 'iuvenes' B; 'iuvines,' R.
20. *fit* for 'set' B.
21. *bellant* B.
23. i.e. sine cunctatione.
24. *nunc rumor est talis* B.
27. *slee slee* B.
28. *sic humiliatur* B. N.B.: there is an erasure before it, fresh written, 'simuliatur.'
29. '*a se*' *at vel* '*a vok*' H. and R., '*havak et havok*' B., text W.
30. '*Smyt fast, gyf gode knokkes, nullus post hec dominetur* B.
vv. 31–38 wanting in B.
33. *architenenses* R., corr. H.
39. *vorat mucro* B.
40. *Exoniedes* R.; *Diomedes* B. and H. *sedes* B.; corrected by T. and W. (in margin).
41–42 wanting in B.; *cupedine* R.
43. B. has '*bycthesone*,' corrected in same hand (later ink?) to '*bysthesone*'; whence T. and Wood (Annals, p. 459) read 'by the sun.' H. reads as in text, with R., and notes the analogy of 'whoreson.'
45. *male finibus* B.
46. *pueri* B.; *reliqui* R. and H.
47. *quatitur* B.; *pesbiter* H.; *prespiter* R.; *presbiter* B.; *presbyter* T. and W.

Ut malus impetitur, quod testantur modo mille.
Et quod plus doleo, multos trusere Bocardo,
Non fotos oleo, necnon medicamine tardo. 50
Ad fratres redeunt pueros ab eis iugulantes,
Et plures feriunt, non Christoferum venerantes.
Heu! gens perversa, crux scinditur atque feritur,
Ad mala conversa, ferventi strage potitur.
Credo, praetendunt aliquid pronostica facta: 55
Set me transcendunt, lector, quae sunt tibi tracta.
Col. 2. Vos Charltons validi, quisquis societ sibi fratrem,
Ne sitis tepidi, cleri, defendite matrem.
Aestimo quod plures libri vobis spoliantur:
Sternite sic fures, donec nihilo redigantur. 60
Vos decus Oxoniae, cleri speculum, via morum,
Normaque iusticiae, memores sitis puerorum.
O Nevell evigila, fructus vitis borialis;
Et super hoc vigila, nam clerus abest specialis.
Patrissare soles, animosus diceris esse: 65
Pravorum soboles minuas nunc ecce necesse.
Non sic degener es armis totus generatus.
Quin cleri memor es? satis es iam nobilitatus.
Beuchamp tam dulcis, alter Ionathas speciosus,
Hostibus expulsis ne sis super ista morosus. 70
Quamvis sis iuvenis, tamen extas morigerosus,
Et geris acta senis; rogo quod sistas animosus.
Sermonis veri vos fratres semina dantes,
Excidium cleri cunctis monstrate notantes.
Clerus floridus, olim fervidus arte sophiae, 75

49. *trucere* R. 50. *nec fotos* B.
51. *rediunt* R. On the action of the Friars see I. 107.
53. *plebs* B. 54. *ferienti* B. 56. *sunt* B.; *sit* R.
57. *Charletoun* B.; *Cartons* R. and H. in text, corrected in note. On these persons see on I. 193: *sociat* B.; *sociato* T.
58. H. suggests *defendere*, and T. so reads.
60. *sed* for *sic* W. 62. *sitis memores* B.
63. *Newyl* B.; *Nevil* W. H. notes that Thomas Nevill was entered (with the Charltons) in the book of benefactors of the University. The context here shows that he was one of the northern family of that name.
64. *iam* B.
65. *Patrissare*, 'to take after your fathers' (so in Plautus and Terence).
66. *minas* R.; *esse* R.; *minuas* and *ecce* B. and H.
67–68 wanting in R. *degeneres* B.; corrected by W.
68. *memores* B.
69. H. notes also the name Beuchamus or Beauchamp, as mentioned with honour in records: another of the name is mentioned in Wood's Annals among those slain.
71–72 transposed in B: *sis tu tamen* ('*nunc*' T.) *morigerosus* B.; *iuvinis* R.
72. *ut aeris acta* R. 73. *primeuis veri* B.
74. *ex id cleri cunctis monstrare* R. 75–76 wanting in B.

Est modo mercidus et iam horridus arte taliae.
Caulae quassantur, agni mites lacerantur,
Et male tractantur, pastores non dominantur.
Iam nunc cernemus pastores si simulabunt,
Et sic temptemus si clericuli remeabunt. 80
Urbs bona, sublimis, et abundans rebus opimis
Nunc erit ex mimis, Christo duce labitur imis.
Urbs fortunata fuit haec, validis redimita.
Sic vergunt fata; nunc ipsa nocet sibi vita.
Urbs celebris dudum, nam magnae nobilitatis, 85
Vertitur in ludum viciosae rusticitatis.
Plena potentatu, celeberrima, digna relatu,
Felicissima, tu nunc es maculata reatu.
[Si fueris lota, si vita sequens bona tota,
Non eris ignota, non eris absque nota.] 90
O Dea Fortuna, quo sunt tua gaudia plena?
Verteris ut luna, set nobis nunc in amoena.
Est Deus immotus, qui scit tolerare superbos,
Et cum vult, ictus infundere novit acerbos.
[Usque modo flevi, carnis incommoda levi: 95
Set scio nempe brevi relevabitur a nece nevi.]
O Deus accelera, dispone tua pietate
Ut sit pax vera. Ne quis nos segreget a te.
Anno milleno tercenteno quoque deno
Atque quater deno, quater: hinc numero lege pleno. 100

Expliciunt versus isti.

76. H. explains 'mercidus' as 'propter mercedem loquens.' It might be 'marcidus.' *oridus* R. *taliae* H. explains as 'taley,' vel 'talley' anglice, and refers to Du-Fresn. v. 'Talea.'
79. *siliabunt* R.
81. *et* omitted in B.
82. *eximis* B.; H. suggests *ex minimis*.
83. *fit validis et redimita* B.; *redemita* R.
85. *et* for *nam* B.
87. *potentatu*: cp. i. 147.
88. *reatu*, 'with guilt': see on I. 52.
89–90 wanting in B. Such an elegiac distich seems an interpolation.
92. *non*, for *nunc*, B.; *es inamoena* T.
93. *inuictus* B.; *tollerare* both MSS.
95–96 wanting in B.
96. *nevi*: H. notes '*Sic*,' and attempts no emendation or explanation. The lines seem to be an unmeaning interpolation.
98. *ut sit* B. and H.; *et sit* R. The MSS. have '*segregat*.'
99–100 wanting in R.

Expliciunt, &c. from R.; B. has 'Acta sunt hec anno Domini millesimo CCC^mo^ quinquagesimo quarto.'

TRYVYTLAM DE LAUDE UNIVERSITATIS OXONIAE.

INTRODUCTION.

THE authority for this poem is a MS. taken to have been written in the time of Henry VI, and first noticed by Brian Twyne and Richard James, the former of whom transcribed the whole poem, and the latter some excerpts, at some date probably about 1630[1]. Both state that they take it from a MS. belonging to Sir R. Cotton. In 1729 Hearne printed the poem in an Appendix to his Historia vitae et regni Ricardi II, stating that he took it from a MS. of the time of Henry VI in the possession of Roger Gale, Esq. After a search kindly made by Dr. Sirker, Librarian of Trinity College, Cambridge, the poem has been found in a volume of the Gale MSS. in the possession of that Society[2], and I have had an opportunity of collating it, and thereby making a few corrections in Hearne's printed version, which is generally very careful and accurate. The same examination sufficed to show that the Cottonian MS. used by Twyne and James, and the Gale MS. used by Hearne are identical. The existing volume exactly answers to Twyne's description as 'a narrowe longe paper booke in a hand of Henry ye 6 time,' and appears to contain all the other matter which he and James quote [3], and

[1] See Twyne, xxiv. 299–304; James, 7, pp. 84 foll. They had used the MS. independently, as their extracts of other matter from it somewhat supplement each other. Wood, who cites a few lines (1–8 and 449–464) in Annals, i. 78 and 491, appears to quote from Twyne.

[2] The reference to it in their catalogue is O. 9. 38. The leaves of the MS. are not paged, so I can give no further reference than to say that the poem comes rather after the middle of the volume, and occupies eight pages in single column, which I have here noted as 'fol. i,' &c.

[3] On this I cannot speak positively, as I had not with me a full list of their other excerpts.

at the top of its third (probably originally its first) leaf has written 'Bib. Cott. Vesp. E. XII.' The text appears also to be identical, when allowance is made for the habit, shown by both these transcribers elsewhere [1], of introducing emendations without any note to say that they do so. How the MS. passed out of the Cottonian into the Gale collection is unknown; but it seems to have been little valued by either owner; as Hearne describes it as 'semilacerus et squallore obsitus [2]'; and the volume, though now re-bound and excellently cared for, shows evidence, in the condition of the portions at beginning and end, of former rough usage. It is evidently a considerable storehouse of poems on various subjects [3], most of them in Latin, but some in English; and its contents might well reward further search.

The author's name is given in the title. He is shown throughout to be a friar, and taken from the allusion in v. 447 to have been a Franciscan. Hearne supposes his date and that of the poem to be that of the MS. containing it; but internal evidence would lead us to place it somewhat earlier. In the attack on three individuals, forming more than half the composition, there is not a word to imply that either of them was then dead; and the vehemence of the invective is such as would more naturally be shown against living and present antagonists; and the only one of them who can be identified, Uthred de Bolton [4], seems unlikely, from such dates as we have relating to him, to have lived on to the time of Henry VI. The title is somewhat a misnomer, as the University certainly comes in for more censure than praise, but the writer is sufficiently a diplomatist to mingle

[1] This is seen in their transcripts from the Bodl. MS. of the poems on the St. Scholastica riot. It is also here noteworthy that the lines 109-116, omitted in their proper place in the MS. and inserted at the foot of the page, with a peculiar mark to show where they ought to come in, are similarly transcribed out of order by Twyne, and referred to their proper place by a similar mark.

[2] Praef. § iv. p. xvii.

[3] Hearne gives, on Tanner's authority, another form of the name as 'Trevytham,' which appears to be a form of the Cornish name 'Trevethan.' Hearne had thrown out a suggestion (for which there appears to be no evidence at all) that he was identical with Robert Finingham, who wrote in defence of the Franciscans in the time of Henry VI. Mr. Little (Hist. of Grey Friars in Oxford, p. 254) notes that the Library of Paris contains 'Ricardi Trevithelami supplicationes ad B. M. Virginem.'

[4] See note on v. 449, also p. 193, n. 6.

the two skilfully. His special complaint against his 'alma mater' is prefaced by a long general panegyric; his invective against his monastic opponents generally is coupled with strong professions of admiration for such monks as fulfilled their duties and lived in peace with all; his assault on the Glastonbury monk is joined with most complimentary language towards that house as a whole; he is careful throughout to assume the position of one standing on his defence against unprovoked persecution and obloquy.

In trying to form an estimate of his allegations we are perplexed by the general vagueness and indefiniteness of the language used. It is natural that in speaking of contemporary events a writer should presuppose knowledge of the facts and circumstances on which his complaint is founded, but on all these points we are often hopelessly in the dark, unless light from other sources can be thrown upon his statements. In this our chief assistance is to be derived from Wood's researches on the monks and friars of Oxford, now completely set before us[1], from Mr. A. G. Little's exhaustive history of the Grey Friars in Oxford, from Mr. Rashdall's full account, with documents, of the controversy of the Dominicans with the University early in the fourteenth century[2], and from the general histories of the same author and of Mr. Maxwell Lyte.

From these sources it may be here briefly noted that difficulties between the University and the friars arose as early as 1252, owing to the enactment of a statute[3] by which those who had not graduated in Arts (which the friars were by the rule of their orders forbidden to do) were debarred, except by special dispensation to be unanimously granted, from graduating in Theology. This grievance reached a head sixty years later; the controversy, though in its issue concerning all the friars, being conducted by the Dominicans. The decision of a court of arbitration in 1314[4] upheld the statute, with some provisions tending to make the refusal of

[1] See Clark's edition of Wood's City of Oxford, vol. ii. ch. xxxi.

[2] 'The Friars Preachers *v.* the University,' A.D. 1311–1313, Collectanea, ii. pp. 193–273.

[3] Mr. Rashdall (p. 200) speaks of a statute, Mr. Little (p. 37) of an apparently earlier custom.

[4] See Rashdall, p. 214; Little, p. 40.

the grace or dispensation less arbitrary. This settlement remained in force; and at dates coming down to that of this poem we find the friars still complaining that their degrees in Theology were maliciously refused [1]. Nor are their opponents slow to resent an arrogance of language and conduct [2] singularly at variance with the lamb-like behaviour claimed for his order by Tryvytlam; and the scandal of 'wax-doctors,' or unlearned friars attempting to extort graces for degrees by letters from influential persons, was met by a statute of increased stringency in 1358 [3].

The middle of the century is marked by a further general attack on the friars, headed by Richard Fitzralph, Archbishop of Armagh, who had been Chancellor in 1333 [4]; and a charge against them in Oxford of 'stealing children,' i. e. secretly inducing them to enter the mendicant orders, issues in a stringent statute in 1358 [5]; and, although they were sufficiently influential to procure its repeal eight years later, the controversy lasted into the following century [6].

There is thus full evidence of constant friction between the friars and the University throughout this century (although we find them intervening on behalf of the students in the St. Scholastica riot [7]); but this poem does not distinctly allude to any such grievances, but primarily to the hostility of the Oxford monks, and secondarily to the University as favouring them against the friars.

It should be noted that the Benedictine and Cistercian monks were later arrivals in Oxford than the friars, but had been established within the University before the close of the

[1] See the royal remonstrances addressed to the University on complaint of the friars in 1388 and 1421 (Little, p. 41), and a case respecting the Dominicans in 1379 (Lyte, p. 313).

[2] See Lyte, pp. 172 foll.

[3] See Lyte, l. l.; Little, p. 42.

[4] See Little, pp. 42, 78; and on Fitzralph generally Tanner, Bibliotheca, p. 283. He died in 1360.

[5] See Little, p. 80.

[6] Little, p. 81. Lyte also mentions (p. 304) that in the forty-six articles drawn up by the University in 1414 for the Council of Constance it is urged that friars should be restrained from granting absolution on easy terms, from stealing children, and from begging for alms in the house of God. He also notices (p. 338) that they were a constant source of anxiety to the rulers of the University in the early years of Henry VI (a date probably after that of this poem).

[7] See poems on this subject (I. 107, &c.).

thirteenth century[1]. Although their existence was no new grievance, the earlier comers may have regarded them in the light of interlopers, and may have looked upon their steady growth and development, which is one of the features of University life in the fourteenth century, with some natural jealousy. The pointed distinction drawn between the monks who stayed at home and those who wandered abroad[2], and picked up a smattering of learning to enable them to preach against their rivals[3], seems to show that the writer had such places as these colleges in mind; and it is not unlikely that the University gladly welcomed the connexion thus formed with the wealthiest and most influential monasteries in the kingdom, and may have held out to these students and their teachers privileges in the attainment of degrees and other matters[4] which were jealously withheld from the arrogant and aggressive mendicants; also that the resident monks would have gladly used their position to promote and applaud such repressive statutes against their opponents as are above noticed. It is implied that their teachers held positions of authority[5], and certainly stated that they had full licence of attack[6], that the young students were incited to ridicule the friars, and the laity to withdraw the alms on which their existence depended[7]. We cannot indeed easily believe that the monks were so constantly the aggressors as Tryvytlam makes them[8]; but their taunts would be the more resented

[1] Gloucester College, used as a place of study by all the chief Benedictine houses in the province of Canterbury, Durham College, for those of the North, and Rewley Abbey, which became the Studium of the Cistercians, were all founded in this century, and in the middle of the fourteenth century Canterbury College was added, and Durham College was permanently endowed by Bp. Hatfield in 1380. Chichele's Cistercian College of St. Bernard was founded later than the date of this poem. On all these see Wood, City, ch. xxxi, from whom the continuators of Dugdale on Gloucester College (iv. 403 foll.), Durham College (iv. 676 foll.), and Rewley (vi. 697 foll.) chiefly draw. See also Rashdall, Hist. of the Universities, ii. pp. 476 foll., and on Durham College especially Mr. Blakiston in this volume.

[2] vv. 177 foll., 193 foll.

[3] vv. 209–216.

[4] In the absence of evidence on greater matters, we may illustrate this from a small point noticed by Mr. Lyte (p. 305) that some privileges in respect of the use of the University Library were specially given to monks, and not to friars.

[5] Cp. 'qui tuis . . . rexere cathedris' (v. 144).

[6] Cp. vv. 135, 145 foll., 165 foll., 175, 250. Among those specially singled out for abuse one at least, Uthred de Bolton, is known to have written treatises against the friars, whether in course of teaching or otherwise, and whether in reply to previous attacks or not. See note on v. 449.

[7] See vv. 149–152.

[8] See vv. 349–364, 485 foll.

when those thus treated as outsiders by comparison had done far the most for the fame of the University as a place of learning [1], a boast which the body that had given to Oxford Roger Bacon, Duns Scotus, and William of Ockham, not to mention a host of lesser luminaries [2], could most justly make.

There is also evidence that theological controversy entered into the feud. Tryvytlam frequently accuses his opponents generally of maintaining schism and heresy [3], and his denunciations of the blasphemies [4], and of the empty and contemptible logic [5] of his chief individual antagonists, breathe the spirit of religious strife. But it is remarkable in a document of this age to find no mention whatever of Wiclif, nor even any distinct allusion to him or his followers, or to his opinions; the more so as one of the three persons specially denounced, Uthred de Bolton, is reckoned as an adherent, at least on some points, of the great Reformer [6]. We have an allusion to the teaching of the Gallican Wymundus Seyntamore [7], and all else is general invective.

As regards the probable truth of his statements, we find Uthred, the only individual attacked by him who can be identified, represented by other authorities in a light so wholly different as to cast the strongest suspicion on his representation of the others, and on any or all of his statements which cannot be corroborated. If the friars had real grievances against the University, it is none the less probable that they gave it abundant provocation; and if such a portrait as is here drawn of unworthy monks could be illustrated not only from the polemics of Wiclif, but from such contemporary lay literature as the Canterbury Tales, the same sources give representations of friars such as to show that the text here quoted of the beam and the mote [8] can be flung back on those who use it.

[1] See vv. 141 foll., 161 foll.

[2] For lists of the learned men among the four orders of friars in Oxford see Dugdale, vi. pp. 1491 foll., 1526 foll., 1578 foll., 1597 foll.; and a far more complete list, as regards the Franciscans, in Mr. Little's work.

[3] See vv. 108, 116, 121, 245–256, 405–412.

[4] See v. 476.

[5] See vv. 369 foll., 465 foll.

[6] See note on v. 449. The dates there given make it probable that the poem may have been written before 1378, when Wiclif became hostile to the friars.

[7] See vv. 245–248.

[8] See v. 385.

SUMMARY OF CONTENTS.

Vv. 1–92. General panegyric on the University. One of your sons addresses you with grateful remembrance of benefits. Your fame transcends that of other seats of learning. You embrace all literature, solve all difficulties, and illuminate the mind as the sun does the world.

Vv. 92–176. Yet you seem now to be declining into dotage. Like Eli, you do not correct your sons, and truth is obscured. You even encourage strife among your offspring, you set on the monks against the poor friars, who never harmed you and have done far more for your honour. You encourage their assailants, let your youths mock them, incite the laity to withdraw alms from them. I entreat you to stop this.

Vv. 176–236. I have nothing to say against true monks who stay at home, observe their rules, and are a model of sanctity; but I complain of those who wander abroad and live a life of fox-hunting and luxury; such learning or preaching skill as they acquire being used only as a weapon against the friars who surpass them. They disobey their Abbat, ride about with the airs of kings, oppress the weak, make it a religion to persecute us.

Vv. 237–268. There are three leaders in this attack whom all others follow, but who themselves merely repeat the heresies of the Gallican Wymundus Seyntamore and others already condemned by the church. These come respectively from Glastonbury, Louth Park, and Durham, and answer to the three beasts of St. John.

Vv. 269–364. The first, the Glastonbury monk, disobeys his own Abbat and is the disgrace of that noble monastery, maimed in his eyesight, spending his nights in drinking, and thus alone forgetting the world (as a monk should), and when he has slept off his debauch, preaching to the people against us. He may know something of Hector and such, but against us has nothing but abuse. Let him follow the illustrious Swynyshed, who never assailed us, and the example of his great Abbey, which has been always liberal to us, and for whose prosperity I devoutly pray, and trust that it may not be taken ill that I denounce this one unworthy member.

Vv. 365–448. The second, the Abbat of Louth Park, assails us with verbal subtleties tricked out in empty rhetoric, a disgrace to his position and to those under him, and to the Cistercian name, condemned at Paris for his errors, careless of the doctrine of the fathers, living a life of feasting and wantonness, ignoring the great examples of old, the rule of St. Bernard, and the welfare of those under him. Let this Dives, who despises Lazarus, beware of the rich man's end.

Vv. 449–496. The third, Owtrede, is a Scot, supplanting Englishmen, an evil from the north, a man of no forethought, using empty subtleties, and abstractions founded on nothing. Above all, he speaks blasphemies, denouncing the Minorites as impious and brutal, and by his own words condemning himself to eternal punishment. Can you give privileges to those who have only this to offer you? Put your hands to the work, mother, and let not this triple beast destroy our order.

TRYVYTLAM DE LAUDE UNIVERSITATIS OXONIAE.

Fol. i MS.] Ad te nunc habeo verbum, o civitas,
Quae grandi titulo terram inhabitas,
Quae toti seculo famosa radias,
En! ad te clamito, si forsan audias.
Non Romam alloquor urbem egregiam, 5
Non villam Cecropis, non Achademiam,
Verum te, maximam Anglorum gloriam,
Alumpnus invoco matrem Oxoniam.
Set modum exprimens huius alloquii,
Sequendo monita prophetae maximi, 10
Ad cor Ierusalem loquar, non lapidi,
Ad clerum scilicet sublimis studii.
Non quidem pondero colorem rithmicum,
Cum metra teneam et sensum congruum.
Nam color saepius obscurat nimium 15
Sensum qui quaeritur, et verbi commodum.
Ut sermo seritur urbi pro civibus,
Et vox dirigitur toti pro partibus,
Sic tibi conquerar, mater, pro filiis,
Qui quondam fueram unus de reliquis. 20
Tuo recogito me pastum ubere,
Ibique suxeram lac primum litterae;
Qua propter teneor tibi rependere,
Si laudis quippiam scirem exprimere.
Tu firma moeniis, arvis irrigua, 25
Pratis pulcherrimis mire melliflua,
Fecunda frugibus, quaeque placencia
Ministras civibus in summa copia.

N.B.—In the spelling I have followed Hearne, who retains the MS. use of 'ci' for 'ti,' but not that of 'e' for 'ae' and 'oe.' Twyne and Hearne are referred to as T. and H.

Line 6. *Cicropis* MS.

Mater miliciae cum apta fueris,
Ut turres indicant adiunctae moeniis, 30
Tamen perfeccius dotata diceris
Minervae munere, donoque Palladis.
Plus tibi contulit magna sciencia
Quam umquam fecerit armorum copia.
Beata diceris per orbis climata, 35
Sed quia singulis solvis aenigmata.
Grandaeva siquidem mater in filiis
Prae cunctis urbibus gaudere poteris,
Cum plene cogites, quot proles parturis,
Quae mundum repleant doctrinae rivulis. 40
Si te prioribus villis iam comparem,
Athenas Cecropis fatebor sterilem,
Et Achademiam urbem inutilem,
Quae quondam dederat doctrinam uberem.
Pallebit livida domus Romulea, 45
Impar putabitur eius sciencia,
Quamquam plus vicerit artis pericia
Quam armis fecerit, vel quam potencia.
Quod Plato dixerit, successor Socratis,
Quod Aristoteles, huius discipulus, 50
Quod quisque senciat perypateticus,
Tu recte iudicans docendo discutis.
Non Anaxagorae chaos quod posuit,
Nec lis Empedoclis, qua mundum efficit,
Set nec Demetrii, quem verum latuit, 55
Te latent Attomi, quos errans cecinit.
Non te Virgilii compta mendacia,
Nec docti Senecae latent proverbia,
Set nec Ovidii te fallunt carmina,
Quae fecit Veneris arte praeludia. 60
Quidcunque pinxerant poetae garruli,
Quicquit discusserant veri philosophi,
Quod magnum dixerant veri theologi,
Ad instar exprimis solaris radii.
Antiqua respuens, ut dicam propius, 65
Quicquit ediderit pulcra Parisius,

34. *fecerat* T. 40. *Quis* T.
50. *Aristotelis* MS. H. corrects in note.
53. *nam Anaxogore* MS., text as corrected by H. in note, *nam Anaxagoris* T.
55. *Demetrii*, an error of the writer for *Democriti*.
66. *Parisius*, here a substantive, *Paris*: cp. v. 405.

Ut verum fatear, informas melius,
Licet haec opera distendat lacius.
  In te geritur quicquit scienciae
Vel artis quaeritur cum gracia, theoricae 70
Dicaris thalamus, platea practicae,
Et cunctae merito fons sapienciae.
  Qlim innotuit inter proverbia,
Regnorum sicuti narrat historia,
Quod quis interrogat, quaerat in Abela, 75
Ubi tunc forsitan florebant studia.
  Nunc proculdubio si quicquam quaeritur,
Cuiusque racio non clare cernitur,
Mater Oxonia quaesita loquitur
Quicquit in dubiis latens ambigitur. 80
  De te prophetice puto praedicitur,
Cum vates mistice futura loquitur,
Dicens in urbibus, quibus lex dabitur,
Quod solis civitatis una vocabitur.
  Sicut sol aëris depellit tenebras 85
Sic ignoranciae noctem illuminas.
Sol quidem corpora, tu mentem illuminas,
Ergo verissime tu solis civitas.
  Sicut sol influit terrae seminibus,
Ut fructum proferant humanis usubus; 90
Sic toti seculo virtutem influis,
Qua verum videat subductis deviis.
  Laudarem siquidem te matrem filius,
Si scirem dicere quicquam commodius.
Set lingua labitur, suspirat animus, 95
Dum te prospiciant indigna laudibus.
  Licet laudaverim, mater, quae gesseris,
Contristor etenim quod iamiam desipis,
Vergens in senium errore falleris,
Heu! quae vix hactenus errasse diceris. 100
  Dum eras iunior acris ingenii,
Vigebas lumine magni scrutinii.
Iam tua puritas incepit minui,
Quae tunc non potuit errore supprimi.
  Dum Hely senuit delusis oculis 105
Repertum fuerat scelus in filiis.

68. *descendat* T. 74. See 2 Sam. xx. 18.
92. *Qua*, so suggested in note by H. for MS. *quam*: T. has *quo*.
98. *iamiam* MS. H. wrongly reads *iam*.

Sic, mater inclita, cum iam senueris,
De tuis aliqui se dant erroribus.
  Heu! dum sic desipis, nec prolem corripis,
Veri fons aruit, sol fit eclipticus, 110
Vix ulla remanet spes veri luminis,
Cum tu scienciae sol sic pallueris.
  O mater deficis, caligant oculi,
Argus decipitur fraude Mercurii,
Insanit Salomon ad instar fatui, 115
Dum verum pateris figmentis subici.
  Nec errans senio sol non efficeris.
Quinymmo propriam prolem persequeris,
Unum in alterum armas de filiis,
Adauges pocius quam bellum reprimis. 120
  Qui dant materiam dolendi scismatis,
Horum potissime tu faves partibus,
Superbos elevas tu, mites deprimis,
Crudelis prohdolor! mater es filiis.
  Cruentum gladium tu vibras fortiter 125
In prolem propriam, spirans crudeliter
Furorem fulminas, ut flammam Iubiter,
In hos, qui serviunt tibi seduliter.
  Rachel cum lacrimis non cessat conqueri,
Set inde condolet, quod non sunt filii. 130
Tu tuos filios non cessas persequi,
Quasi si ipsos cupias interimi.
  Fratres nam pauperes vix sinis vivere,
Quinymmo monachos cogis concurrere,
Quos de sciencia doces praesumere, 135
Ut pacis pugiles impugnent libere.
  Quid tibi nocuit fratrum religio,
Quid non exercuit quod prosit studio?
Tuorum attamen furens ambicio
Vix sinit simplices manere medio. 140
  Mater, recogita de mendicantibus
Quicquit contulerant tuis honoribus,
Plus cunctis monachis, si recte videris,
Qui tuis hactenus rexere cathedris.
  Tamen si dixerint vel quicquam monachi, 145
Quod fiat fratribus in petram scandali,

117. *nec* MS., T. and H.; *nunc* seems required by sense.
136. *impugnent*, so read by T. and suggested by H. for the MS. which seems to have *impinguant*.

Tu plaudis manibus, indulgens risui,
Quasi si sencias vim fructus maximi.
Insontes pueros doces illudere
Et Christi pauperes verbis proscribere, 150
Vulgusque laicum invitas libere,
Ut elemosinas velint subtrahere.
Fol. ii MS.] Cur, mater, filios cur sic persequeris,
Cur, quos tu promoves, promotos deicis?
Esset nam melius, quod nunquam fueris, 155
Quam fratres persequi, postquam nutriveris.
Tuis obtemperant in cunctis legibus,
Student summopere tuis honoribus,
Testes verissimi sunt tui nominis
Coram principibus, regnis et regibus. 160
Multoque lacius concrevit gloria
Tui iam nominis, mater Oxonia,
Per fratres pauperes in sphaera terrea,
Quamque per monachos, ut probant opera.
Cur ergo laceras insontes filios, 165
Quare non corripis inflatos monachos?
Saltim non foveas in malis impios,
Qui sic continue premunt innoxios.
Hely nam filios senos quos habuit
Fovit in viciis, dum non corripuit. 170
Hinc minas Domini mortemque meruit,
Fractis cervicibus de cella cecidit.
O mater, caveas ab Hely crimine,
Nec sinas filios sic insolescere.
Compescas monachos in fratres furere, 175
Ne fias particeps in horum scelere.
Inter hos monachos ipsos non nomino
Qui domi remanent, et haerent Domino,
Qui, spreto seculo, suo coenobio
Dei continuo se dant obsequio. 180
Hii veri monachi re, sicut habitu,
Hii Deo serviunt perpuro spiritu,
Marthaeque peragunt opus in effectu,
Mariam praeferunt mentis in exitu.

153. *prosequeris* T. 156. *prosequi* T.
158. MS. and H. *sumopere.*
164. *Quamque,* apparently used *metri gratia* for *quam.*
169. *senos*: so T. and H.: in v. 257, &c., *sene* seems used for *sane*; but perhaps there is here an error of the MS. for *seuos* (*saevos*).
172. *cella*: so T. and H., perhaps an error of the writer for *sella.*

Ad intra iugiter vacant psalterio, 185
Carnem subiciunt mentis dominio.
In istis clarius sine contagio
Bernard et Benedict floret religio.
Non istos criminor nec horum studia,
Quos Deo reputo vasa mundissima. 190
Quinymmo deprecor fiant novissima
Mea, cum morior, horum similia.
Sed eos alloquor, qui quondam aratro
Manus submiserant, despecto seculo,
Ac retro redeunt spreto coenobio, 195
Egipti cupiunt carnes in heremo.
Hiis labor regulae, vulpis venacio,
Carnis deliciae, ventris refeccio,
Hiis summum ocium est contemplacio,
Bernard et Benedict sic perit sanccio. 200
Fol. iii MS.] In saltu sciciunt plusquam psalterio,
Feras interemunt venatu vario,
Convesci renuunt esu domestico,
Volunt enim esam de cibo regio.
Miror quid agitant sic quadrupidia, 205
Cum sit inhibitum eis ex regula
Convesci talibus, set de licencia
Abbatis forsitan praesumunt talia.
Optentu siquidem inanis gloriae,
Ex istis aliqui se dant scienciae, 210
Et quia pauperes vident praecellere,
Hos statim spiritus inflat invidiae.
Hinc student invidi non ut aedificent
Vel se vel alios, set nec ut praedicent,
Nisi vel forsitan ut plebem excitent 215
In fratres pauperes, qui vulgus edocent.
Hos ita spiritus inflat scienciae,
Quod iugum renuunt obedienciae,
Abbatem proprium obiurgant libere,
Ut Dathan et Abiron certant cum Moyse. 220

197. The fondness of monks for hunting is often dwelt upon. See the description of the monk in Canterbury Tales (Prol. 166 foll.) 'an outrydere that lovede venerye . . . ful many a deyntee hors hadde he in stable.'

201. *sciciunt*, apparently reduplicated *metri gratia* for *sciunt*. James reads *sitiunt*.

204. *esan* MS. H. reads (in note) *escam*.

213. *Hunc* MS.; so corrected by T., and (in note) H.

214. To obtain skilled preachers appears to have been a chief object in the foundation of monastic Colleges at Oxford. See Rashdall, Hist. ii. p. 480.

In equis militant hii cultu regio,
Relictis patribus et monasterio.
Regis et monachi non est distinccio,
Praeter quod tegitur nigro collobio.
Urbes et villulas in equis adeunt, 225
Nec ut discipuli Christi iam veniunt.
Nam mente languidos siquos inveniunt
Aut plene perimunt aut aegros deleunt.
Quinymmo pauperes aegrorum medicos
Fratres, iam fidei doctores strenuos, 230
Premunt, si poterunt, per actus invidos,
In ipsos acuunt linguarum gladios.
Se Deo facere putant obsequium
Dum fratres pauperes premant ad ultimum.
De suis servulis tale praesagium 235
Praedixit veritas per evangelium.
Tantae maliciae patres praecipui
Sunt status dispares tres picti monachi.
Unus est griseus, duo nigerrimi;
Sub istis militant omnes residui. 240
Quicunque monachus fratres persequitur,
Tanquam praecipuus istis innititur.
Totum verumptamen, quod ab hiis dicitur,
Libris prioribus expresse ponitur.
Testantur etenim hoc luce clarius 245
Libri, quos edidit Wymundus Gallicus,

228. *plene*, perhaps for *plane*: cp. *sene* v. 257.
deleunt, for *delent*, suited to rhyme and metre.

238. *status* could be genitive of relation after *dispares*; but H. suggests *disparis*, and James so reads.
tres. On these three see vv. 257, 365, 449. From the way in which they are here spoken of, we should infer that they were all prominent in Oxford, and at about the same date with each other, and with the writer.

242. *praecipuus*: so MS., T., and H.: probably *praecipuis* should be read.

246. MS. *libros*, assimilated to *quos*: so corrected by T. and (in note) H. There seems to be some confusion in this name. The person meant must apparently be Guillaume de St. Amour, Rector of the University of Paris in the middle of the thirteenth century, who was the leader in the attacks on the Dominicans and Franciscans, and wrote a treatise denouncing them. Alexander IV took their part in 1256, condemned St. Amour's treatise, and ordered it to be burnt, and enforced his banishment from France. His works are extant, and further account of him is given in Cave, Hist. Litt. ii. 301, and in many other sources referred to in Chevalier, Sources Historiques du Moyen Age, p. 974, also in Rashdall, Hist. i. 382–385; who also notes (ii. 384, n. 4) that he was still read in Oxford more than a century later, and is often referred to by Wiclif. Whether the name, here given as 'Wymundus,' is in any way reconcilable, or is due to error in the MS., or to some confusion by Tryvytlam with a Gallican Guitmond, such as the person given in Cave, ii. 146, &c., cannot be determined.

Vocatus Seyntamore, expers re nominis.
Set hos ecclesia dampnavit hactenus.
Fol. iv MS.] Ex hiis hii colligunt quicquit hii praedicant
In fratres pauperes vel scolis disputant, 250
Sertaque subdole sic sibi fabricant
Certe de floribus, quos non collegerant.
Sic hii tres renovant dampnatas haereses,
Quas flores nomino, sed per antiphrases.
Hii parant fratribus lutum et lateres, 255
Set adhuc Israël tuetur Moyses.
Sene primum monachum profert Glastonia:
Secundum siquidem profert Louperchia:
Set hostem tercium dedit Dunholmia:
Quae triplex mistica Iohannis bestia. 260
Iohannes loquitur sacris misteriis
De tribus maximis erroris bestiis,
Dracone, pardulo picto coloribus,
Necnon de bestia cum agni cornibus.
Nullos convicio designant rectius 265
Istae tres bestiae, si recte videris,
Quam hos tres monachos, qui totis viribus
Instaurant proelia Christi pauperibus.
Primus effigiem draconis optinet,
Ubique valide venenum evomet, 270
Abbatis proprii iussa non sustinet,
Ymmo contravenit, ut falsum edocet.
Nam Abbas providus istius monachi
Sibi praeceperat, in partem meriti,

247. *expers*, &c., 'but with no real part in the name,' no divine love in him.
253. *dampnatos* MS.: so corrected (in note) by H.
254. *antrifases* MS.: so corrected in note by H. 'I call them flowers, by opposites.'
257. *sene*, apparently for *sane*; so in vv. 290, 332.
258. *Louperchia*, or *Parco-Luda*, the Cistercian Abbey of Louth Park, Lincolnshire.
261. *Iohannes*: see Rev. xii–xiii.
265. *convicio*. H. reads the MS. as *connicio*, but the word seems plainly the same as in v. 320, and T. so reads here.
269. *Primus*. Another hand adds (in margin) *de monachis*. This unnamed monk of Glastonbury cannot be identified. Tanner (note on Uthred de Bolton) wrongly takes him to be Swineshed, with whom he is contrasted in vv. 321 foll.: we should expect to trace him at Gloucester College, and we find (Wood and Clark, City, p. 262) that a Glastonbury monk, whose name is unfortunately lost, was prior of that College in 1389. In the absence of further evidence we can only say that the date and the fact are suitable.
270. *evomet*, used here and in 474 for *evomit*.
272. *edocet*, for *edoceat*, to suit rhyme and metre.

Quod fratres sineret quiete perfrui. 275
Nequaquam paruit, se dans tirannidi.
O! quam Glastonia felix collegium!
Vix habet Anglia tale coenobium.
Set, prohdolor! hoc membrum putridum,
Ut potest, inficit corpus residuum. 280
Haec ovis morbida ut gregem inficit?
Fermentum modicum hoc massam perimit.
Hic si coenobio solus defuerit,
In mundo melior coetus non aderit.
In lege veteri, collata populo, 285
Praeceptum fuerat, ne sanctuario
Minister fieret laesus in oculo,
Ne laus vilesceret in servo sordido.
Heu! nisi fieret lex haec abolita,
Sene non sineret felix Glastonia. 290
Quem satis oculi demonstrat macula
Indignum ingredi in sanctuaria.
Hic patris Ionadab praecepta reprobat,
Qui Rechab filius proli praeceperat,
Ne vinum biberet, quod luxum generat 295
Ubi modestia modum non limitat.
Fol. v MS.] Nam nocte qualibet, si vinum habeat,
Tantis praecordiis Baccho sacrificat,
Quod lingua monachi distracta cespitat,
Et sine murmure numen magnificat. 300
Tam diu permanet hoc sacrificio,
Quousque creverit tanta devocio,
Quod obliviscitur quae sunt in seculo,
Haec sola monachi adest condicio.
Nutant vestigia, caligant oculi, 305
Lingua collabitur, pes deest gressui,
Vix unum organum ministrat sensui,
Sic solet saepius absorptus perfrui.
Tamen in crastino cum sol caluerit,
Digesto paululum vino quo maduit, 310
Hic plebi praedicat, et fratres inficit,
Condempnat alios, nec sui meminit.

279. *prohdolor*: so in v. 437: here the MS. has *prothodolor*.
289. *fieret* MS. and H. T. reads *fuerit*.
290. *sene*, see v. 257.
295. *quod*, so corrected by T. and (in note) H. for MS. *qui*.
298. *Bacho* in MS.

Licet laus vigeat huius in cronicis,
Quod narrat optime de bellis Hectoris.
Cum formas fabricat in quaestionibus, 315
Tunc sermo cronici serpit inculcius.
Set cum defecerit docendi formula,
Cumque defuerit verbi materia,
Se vertit cicius ad improperia,
Formis deficiens addit convicia. 320
Subtilis Swynyshed, proles Glastoniae,
Revera monachus bonae memoriae,
Cuius non periit fama industriae,
Sinebat pauperes in pace vivere.
Iste, vix aliquam habens scienciam 325
Respectu Swynyshed, ut verum exprimam,
Indignus solvere eius corrigiam,
Minatur fratribus mortis sentenciam.
Patres praecesserant in hoc monasterio,
Et adhuc remanent, florentes studio. 330
Nullus in pauperes spirabat odio,
Sene solummodo scaevum excipio.
Ymmo, prae ceteris sacris coenobiis,
Ubertim exhibent Christi pauperibus,
Huius collegii sic placet patribus. 335
Rependat munera Christus pro servulis.
Arthuri thalamum hunc regum tumulum,
Sanctorum plurium praeclarum scrinium,
Boni cuiuslibet fontem irriguum,
Conservet Dominus in omne seculum. 340
Felix Glastonia, quisquis te fecerit
Hostilem fratribus, sive iam fuerit
Frater vel monachus, et non se correxerit,
Hostilem senciat Deum dum vixerit.

321. Roger Suicete, Swinsete, or Swinshed, was a famous mathematician about 1350. As he is here called *proles Glastoniae*, perhaps Bale (p. 456, ed. 1557), who is followed by Pits (p. 477, ed. 1619) and Tanner (Bibl. p. 701), may be wrong in stating that he was a Fellow of Merton (on which doubtful point see Brodrick, Memorials of Mert. Coll. p. 213), and afterwards took the cowl as a Cistercian *in coenobio sui cognominis* (Swinstead in Lincolnshire). Tanner mentions several of his writings, among them *in Petrum Lombardum elucubrationes*. Bale adds that some of his errors were afterwards noticed by Ludovicus Vives, who lived early in the sixteenth century.

327. *corrigiam*, used for any kind of leather strap (see *Planctus Oxoniae*, v. 104), and here for a shoe-latchet, as in Cic. &c. Forcell. quotes from Venantius Fortunatus *corrigiamque pedum quoniam est non solvere dignus*.

332. *sene*: cp. v. 257.

341. *quisquis*: so T. and H. (in note), MS. *quisquos*.

344. *vixerit*, a correction of H. (in note) for MS. *venerit*.

Fol. vi MS.] Et licet unicum tangam eloquio, 345
Careret utinam qui tuo titulo,
Spero nolueris rancorem animo
Quemquam concipere, cum non sit racio.
Nam si quis sedula mente tractaverit,
Quot mala fratribus hic hostis fecerit, 350
Non admirabitur, si recte senserit,
Verbum pro fratribus quod quis obiecerit.
Certe repellere vim vi lex edocet,
Et ibi maxime, ubi videlicet
Iusti simplicitas hostem plus provocet 355
Mitem supprimere, quam iram mitiget.
Qui multa loquitur numquid non audiet?
Aut fratres usquequo hostis percuciet?
Num ad interitum mucro desaeviet,
Et in silencio quisque pertransiet? 360
Qui plusquam fecerit hunc posse monachum
In fratrum dedecus et exterminium
Dicens firmaverit, dicam falsiloquum,
Cum semper egerit secundum ultimum.
Secundus monachus, colore varius, 365
Pardum assimulat pictura corporis.
Iohannes viderat hunc in misteriis,
Hic est, ut nominem, Abbas Louperticus.
Hic verbis militat plusquam sciencia,
Et formas variat sine materia. 370
Quandoque quindecim informat media,
Quando vix unici subest sentencia.
Hic lingua edocet loqui mendacia,
Et quicquit loquitur, ornat facundia.
Praecellit ceteros in lingua garrula, 375
Set, quamquam aestimet, non in sciencia.
Hic sacro coetui Abbas praeficitur,
Licet inutilis, ut vulgo loquitur.
Hic sacer Domini grex sic inficitur,
Cum tali principi subici cogitur. 380

364. *secundum ultimum*, perhaps 'after the pattern of the worst.'

365. There seem to be no means of identifying this person; as in Dugdale (v. 413) no Abbat of Louth Park is given between Richard de Lincoln, in 1355, and the one at the time of the dissolution. As a Cistercian (see on v. 258) he was probably connected with Oxford through Rewley (see Introd. p. 192, n. 1), and perhaps some clue may be found in the allusion to a condemnation of his errors at Paris (v. 405).

371. *media*: cp. vv. 467, 471; apparently 'middle terms' of syllogisms.

378. *loquitur*, apparently used for *dicitur*.

Quis claustra reparet fracti coenobii,
Quis prolem saciat verbo consilii,
Cum iste cogitet se solum praefici,
Ut fratres pauperes insistat persequi?
Festucam praevidet fratrum in oculis, 385
Nec trabem maximam videt in propriis.
Carnis contagium repellat primitus,
Et fratres postea culpet securius.
O dudum celeber Ordo Cistercii,
Quem venustaverant patres praecipui, 390
Quem (seclum reliquerant) devoti filii,
Paulatim incipis honore minui.
Fol. vii MS.] Tales incaucius patronos efficis,
Qui praesint pocius quam prosint filiis.
Exemplo sufficit Abbas Louperticus, 395
In quo lux deperit et honor ordinis.
Nam licet gaudeat magistri titulo,
Nequaquam sufficit, ut in coenobio
Talis praesideat, nisi devocio
Praesit scienciae gradu continuo. 400
Set ex sciencia qualis elacio
Istius monachi insistat animo,
Patet in proprii erroris devio,
Quod tantum reputat de sensu proprio.
Et hoc testabitur villa Parisius, 405
Istum quae spreverat cum suis frivolis,
Quia iam pertinax rebellis patribus,
In suis contumax mansit erroribus.
Hic nimis nimius in suis oculis
Mentem non adhibet patrum sentenciis, 410
Set suis iugiter utens elenchicis,
Signum insinuat elati criminis.
Hic vacat epulis, se dans lasciviae,
Ut dives reprobus prandet cotidie.

389. MS. *celiber.*
391. The MS. has no parenthesis; but H. rightly points out in note that the meaning is *quem, qui seclum reliquerant, devoti filii.*
394. T. reads *praesunt* and *prosunt.*
395. So T. and (in note) H. The MS. has *Abbis Louperticis*; the former word having a stroke over, as elsewhere (vv. 432, 438, &c.), in the abbreviation for *Abbatis.* The correction injures the rhyme; but this is not always strictly kept (cp. v. 266).
403. The MS. has *proprio* with a line drawn through it and *proprii* written after.
405. *Parisius*, a substantive in apposition with *villa*: cp. v. 66.
410–412. Underlined in MS.

Tunc quidem monachi non ita splendide, 415
Cum coctum sumere foret luxuriae.
  Sui coenobii opes evacuat,
Scillae voraginem ut ventrem repleat.
Subiectos monachos sic Abbas spoliat,
Et castra Veneris de claustro fulcitat. 420
  Exemplo monachis cum esse debeat
Abbatis nomine, eoque gaudeat,
Cur sibi subditis viam insinuat
Qua vitas patrum perimat et destruat?
  Hic vitas patrum deprecor aspiciat, 425
Si forsan inibi usquam inveniat,
Quod Abbas aliquis sic mensis affluat,
Aut sic deliciis sicut hiis serviat.
  Num Abbas Agathon ostendit monachis
Debere fluere mensas deliciis? 430
Felix Hillarion vixit radicibus,
Set iste pascitur cibis regalibus.
  Sibi consulerem, ligna subtrahere
Ignis, si cupiat luxus extinguere,
Quem secum cercius portat continue, 435
Ut satis indicat rubor in capite.
  Bernardi, prohdolor! perit religio,
Dum talis praesidet Abbatis solio.
Nam, caeso principe peccati gladio,
Grex, sibi subditus, perit continuo. 440
  Ut dives Lazarum hic Abbas despicit,
Dum coetum pauperum ut potest inficit,
Attendens minime, quod testis exprimit,
Quod sinus Abrahae mendicum suscipit.
Fol. viii MS.] A fine divitis hic Abbas caveat, 445
(Quem in conviviis satis assimulat.)

420. The MS. has *claustra* and *castro*, with interlinear corrections, as here read, in a later but ancient hand.

fulcitat, so read by H. in note for MS. *fulsitat*. The verb seems to be coined as a frequentative of *fulcio*.

425. H. notes that *deprecor* = *precor*, and that a later hand has struck out *de*.

428. Apparently *hic* should be read.

429. Mr. G. Holden, Sub-Librarian of All Souls College, has pointed out to me that the person meant is apparently the 'Abbat' Agathon known as a hermit of great sanctity in Egypt, probably in the latter half of the fourth century: see Tillemont, Mem. Eccl. (1732), vol. x. pp. 418–427.

431. *Hillarion*, the famous hermit of the fourth century. His abstinence from all animal food is noted: see Dean Fremantle in Dict. of Christian Biography.

445. MS. *affine*.

Ne, cum mors forsitan invisa veniat,
Pares in crimine par poena puniat.
  Iam loco tercio procedit acrius
Armata bestia duobus cornibus. 450
Hanc Owtrede reputo, qui totis viribus
Verbis et opere insultat fratribus.
  Hic Scottus genere perturbat Anglicos,
Auferre nititur viros intraneos.
Sic, sic, Oxonia, sic contra filios 455
Armas et promoves hostes et exteros.
  Propheta loquitur vero praesagio,
Quod malum maximum propandet Aquilo,
Quod super Israël ascendet populo,
Ut verum fatear, hoc Owtrede reputo. 460
  Hic Owtrede dicitur apto vocabulo,
Ut praefert nominis interpretacio;
Cum sit improvidus, et sine consilio,
Quem magis dirigit velle quam racio.
  Hic quidem alcius insanit aliis, 465
Solis innititur verbis fantasticis.

449. Uthred de Bolton is mentioned in Bale (ed. 1537), p. 482, Pits (ed. 1619), p. 528, and in Tanner's Bibliotheca, p. 743 (where he cites Leland). All these speak of him as a man of the highest character, and as one of the most learned English Benedictines of his time, and state that he was selected from the Durham monks by the Prior to be sent to study at Oxford. This must have been before 1359, in which year he received a payment towards the expenses of his degree from Jarrow, with further sums in 1361 and 1362 from Wearmouth (Jarrow and Wearmouth Rolls, Surtees Society, 1837, pp. 42, 155, 157). He was probably Warden of Durham College in Oxford in 1360 (see Mr. Blakiston in this volume), and was Prior of Finkhale or Finchale (a subordinate cell to Durham) in 1367–1372, and in 1377–1397 (Finkhale Rolls, Surt. Soc. 1854, lxxviii–lxxxiv and xcviii–cxvii); also one of Bp. Hatfield's trustees for the endowment of Durham College in 1380, and ambassador from Edward III to Pope Gregory XI in 1374, in which year he was also present at a Council at Westminster on Papal tribute (Little, p. 81, n. 7). It is stated by Bale that he was on some points an opponent, on others a supporter (Pits speaks of him as an opponent only) of Wiclif's doctrines, and that on the latter ground he was accused of heresy by the Dominican friar Jordan, *et 'ex ecclesia fere proscriptus'* (probably an exaggeration). Pits states that he had also disputes with a Franciscan named Hilton and others *unde nonnullam dedecoris maculam celebritati nominis eius aspersam ferunt.* A list is given of his writings, among which are treatises *contra querelas fratrum* and *contra eorum mendicitatem*, to which Jordan (Bale, p. 485) replied in a treatise *pro mendicitate.* It is observable that the friar ventures upon no such attack on his moral character as in the other two cases, but confines himself to impugning his learning and logic.

453. He probably took his name from the manor of Bolton in Northumberland; which would seem to the friar sufficient reason for calling him a Scot, a foreigner, and an enemy.

458. A later hand has written *ab Aquilone malum* in the margin. The reference is to Jeremiah i. 14; iv. 6; vi. 1.

459. *Israël*, undeclined, either ablative in apposition or genitive.

461. *vacabulo* MS.

Confingit media sine radicibus,
Putatur ideo loqui subtilius.
  Dixisse memini quendam philosophum,
Quod abstrahencium non est mendacium. 470
Iste sic abstrahit, quod nullum medium
Vel verum sapiat, vel locum solidum.
  Balbutit pocius quam profert sillabas,
Cum suas evomet veneni faculas.
Set supra singulas praescriptas bestias 475
Os isti traditur, habens blasphemias.
  Minorum ordinem proclamat impium,
Latronum regulam, statum brutalium
Inobservabilem, quem nullus hominum
Servare poterit ad vitae meritum. 480
  Ultra progrediens, infert sentenciam,
Quod semet obligans ad dictam regulam
Ad poenam libere se dat perpetuam,
Et ultra renuit futuram gloriam.
  Nonne blasphemiis totus innititur, 485
Qui contra servulos Christi sic loquitur?
In servo minimo nam Deus spernitur,
Ut evangelii sermo eloquitur.
  Attendens obsecro mater ecclesia,
Cur tali regulae confers munimina, 490
Si, sicut loquitur haec pura bestia,
Poena solummodo habebit praemia?
  Set iam, ne pereat haec nostra regula,
Nec illum subruat haec trina bestia,
Apponas manus, o mater Oxonia, 495
Ut perfruaris perhenni laeticia.

Amen.

Explicit materia praecedens, &c.

467. *media*: cp. v. 371.
474. *evomet*: cp. v. 270.
faculas would mean 'torches' (cp. the St. Scholastica poems, III. 18): probably *feculas* or *faeculas* should be read.
477. *Minorum ordinem*, the Minorites (Franciscans). The writer is taken to have belonged to that body (see Introd. p. 189).

PART IV.

WYKEHAM'S BOOKS

AT

NEW COLLEGE

EDITED BY

ARTHUR F. LEACH

WYKEHAM'S BOOKS AT NEW COLLEGE.

INTRODUCTION.

THE printing of the list of books given by William of Wykeham to his College of 'St. Mary of Winchester in Oxford,' otherwise New College, is due to the suggestion of a fellow Wykehamist, Mr. T. G. Law, Librarian of the Signet Library at Edinburgh, who had noted a reference to it in Thorold Rogers' *History of Prices*, as of importance to the very interesting and obscure subject of the price of books in the Middle Ages.

I have to thank Dr. Sewell, Warden of New College, for allowing me to copy it from the 'Liber Albus' of the College, and still more for allowing me the use of that book at home for the purpose. If all custodians of ancient documents, such as Deans and Chapters, would take example from New College, and render their muniments accessible to responsible inquirers in the same way, the history of a good many mediaeval institutions would be better known, and there would be a good deal less of the hasty guessing which now disfigures most writings on subjects of antiquarian interest.

The 'Liber Albus' in which the list is contained is a vast folio volume of parchment, with 267 leaves or 534 pages, measuring 15 in. by 10¼ in. It is now in a modern binding, but retains the colour from which it got its name. Like the 'Liber Albus' of York and Southwell Minsters, and many other ancient collegiate institutions, its primary object is to be a Chartulary, or Register of grants and other deeds relating to the property of the College. Comparatively modern institutions like New

College had not that great mass of original ancient deeds relating to the slow piling up of possessions through the ages which caused, or necessitated, the Chartularies of primaeval foundations like Southwell Minster. New College received its endowment in one large grant from the Founder, and has but little after-acquired property, so that the actual grants and dealings with property recorded, except leases by the College, form but a small part of the 'Liber Albus.' Besides being a Chartulary or Register of Deeds, the book is also a Register proper, a record of the acts of the College in the election of Wardens, the admission of Fellows and officers, the institutions to livings and chantries, and the like, which in the older foundations formed the subject-matter of volumes separate from the 'Liber Albus.' A very complete history of the College up to 1450—which appears to be the date at which it was intended to end, though there are a few extracts of later date, one even so late as 1491—so far as formal documents can give it, is contained in the book. Extracts from it might very well form a subject for a volume of the publications of this Society.

The List of Books given by the Founder naturally finds its place in the 'Liber Albus' in its capacity of Chartulary, for in a Collegiate Church or College formed *ad studendum* rather than *ad orandum*, books, in the fourteenth century, formed as necessary a part of its endowment as lands and buildings.

New College, like Winchester College[1], was founded on the model of Merton College. Two Fellows of Merton—John of Buckingham, Canon of York, and John of Campeden, Canon of Southwell and afterwards Master of St. Cross by Winchester—assisted Wykeham in his purchases of land for New College, and the first Warden of the Scholars before the formal incorporation, Richard Tunworth, was a Fellow of Merton. William Reed, Fellow of Merton, Provost of Wyngham College or Collegiate Church in Kent, Archdeacon of Rochester, and finally Bishop of Chichester, either set or followed Wykeham's example by a magnificent gift of ninety-nine books to Merton College, the library of which he is credited with

[1] See chapter on 'Wykeham's Models' in *Winchester College* 1393–1893, *by Old Wykehamists.* Edward Arnold, London, 1893.

having built, and a gift of fifty-eight volumes of Theology, two of Philosophy, and three of Canon Law to New College itself. He gave books also to other Colleges at Oxford. One given to Balliol, noted in Coxe's *Catalogue*[1], was probably given by another William Reed, being a century later. In the List of Books in the New College 'Liber Albus' here presented, Reed's gift is given precedence of the Founder's. This, though the writing is clearly of the same date, rather suggests that his gift had been earlier than Wykeham's own.

New College was of course a much larger and richer foundation than Merton College, and was distinctly intended to, and did, outshine what had till then been still the leading College in the University. Wykeham's gift comprised 240 or 243 volumes, all of course MSS., of which 135 or 138 were of the Faculty of Theology, 28 of the Faculty of Philosophy, 41 of Canon Law, 36 of Civil Law. A list of books of the Faculty of Medicine is also given on an earlier page than the rest, consisting of thirty-seven volumes, and fifteen others 'chained in the library.' But the list is not headed as being of the Founder's gift, no prices are given, and it is in a later hand. One of the books, however, which can be identified as No. 171 in Coxe's *Catalogue*, is assigned by him to William of Wykeham, though on what evidence does not appear. Still, as express provision was made that two of the Fellows might study Medicine—a provision now unfortunately repealed—it seems probable that books of medicine would be provided. The absence of prices may perhaps be explained by the fact that there being so few students of Medicine, these books would not be in demand for borrowers. In the same handwriting as the books on Medicine are two books on Astronomy.

The large proportion that Theology bears to the philosophical, legal, and medical works was in accordance with the Founder's statutes. Under them there were to be always twenty Fellows studying Law; if possible, ten Canon Law and ten Civil Law: while the other fifty followed 'the Arts, or Philosophy and Theology'; two of these being however

[1] p. 5 of *Catalogus Codicum MSS., qui in Collegiis Aulisque Oxoniensibus hodie adservantur*, by Henry O. Coxe, Oxon., 1852.

permitted to take to Medicine, as long as they were regent Doctors in that faculty, and two to study Astronomy.

This gift compares very favourably with the catalogue of books belonging to Oriel College in 1375, or that of St. Catharine's Hall, Cambridge, a century later, which consisted all told of 100 volumes. But if the list, including the books given by Bishop Reed and John Wykeham, nephew of the Founder, is a complete list of the College Library, it was a very poor one compared with that of the Sorbonne at Paris with its catalogue of 1,017 volumes in 1290, and another 700 in 1338.

I do not intend to enter into any dissertation on the books in detail. Coxe's *Catalogue* is full on the books that remain. For the rest, the titles of most of them tell their own tale, and are well known; and those that are not, such as *Tractatus Belial*, *Conclusiones Rota*, and *The Nine Partes of Dumbelton* must be sought elsewhere.

Among the chief works to consult for this purpose are the wonderful lists of MSS. given by Leopold Delisle in his three magnificent volumes (which form part of the *Histoire Générale de Paris*) on the *Cabinet des MSS. de la Bibliothèque Nationale*, and therein more particularly the lists of the Library of the College of Sorbonne at Paris.

In England the Cambridge Antiquarian Society has been beforehand with us. In vol. i of its *Transactions*, 1840–6, is a catalogue of the books given to St. Catharine's Hall by the Founder, Dr. Woodlark, and chained in the Library, edited by the Rev. G. E. Cowie, B.D.; and the catalogue of the MSS. of St. John's College, edited by the Rev. Morgan Cowie, M.A.; while vol. ii contains a priced list of the books given by Thomas Markaunt, Fellow, to Corpus Christi College by will of Nov. 4, 1439, edited (with divers misreadings) by J. O. Halliwell, afterwards Halliwell-Phillipps. In the first series of *Collectanea* of this Society (1885, p. 66) is a list of the books of Oriel College in 1375, while the notes on Dorne's printed books in the two volumes of *Collectanea* will supply many identifications of Wykeham's books.

The MSS. of Wykeham's gift that still remain at New College are fully described in the catalogue of the MSS. in

the Colleges and Halls of Oxford, compiled by the late Bodley Librarian, Henry Coxe, already referred to in a note, published in 1852. It is much to be regretted that in this catalogue he did not follow the common practice of the compilers of catalogues of mediaeval libraries, and identify the volumes by giving the first words on the second leaf. This is a far quicker and more certain way of identifying a MS. than the elaborate descriptions he gives; not that he should have left these out, but he should have put the others in. Many hours of thankless labour he would have saved if he had done so[1]. A very scanty remnant is left of the noble band of Wykeham's books. Of five great Bibles, one; of the whole 135 or 138 Theological works, just twenty-three can be identified; of the rest, one out of twenty-eight Philosophical works; three out of forty-one in Canon Law; none in Civil Law out of thirty-six. So that, out of 240 or 243 books, only twenty-seven remain. Those that remain are distinguished in the List, as printed, by numbers in front of the name of the book, the numbers being the numbers in Coxe's *Catalogue* and in the New College MS. Auctarium itself. Hardly one of the original bindings remains, the volumes being all in one uniform calf binding, tied with strings, apparently of about the date of Cardinal Pole's primacy, he being himself a considerable donor of Greek books.

The disappearance of the bulk of Wykeham's MSS. is no doubt to be attributed chiefly to that great dispersion which took place, when Duns Scotus and Thomas Aquinas were dispossessed of their thrones; and when, as it was phrased by the Visitor, Dr. Layton, in his letter to Thomas Cromwell[2], 'we have set Duns in Bocardo, and have utterly banished him Oxford for ever, with all his blind glosses.' 'The second time we came to New College,' he says, 'after we had declared your injunctions, we found all the great quadrant court full of the leaves of Dunce, the wind blowing

[1] Since this was in print, I find that this work of identification had already been done by the present Warden of New College, when Librarian, in a finely written volume, a Library Benefaction Book, originally compiled by or at the direction of Arthur Lake, Warden of New College, and Bishop of Bath and Wells, in 1617. This book contains a list of benefactions to that date whether contained in the 'Liber Albus' or not.

[2] Camden Society, 1843. Letters relating to the Suppression of the Universities, p. 70.

them into every corner. And there we found one Mr. Grenefelde, a gentleman of Buckinghamshire, gathering up part of the said book leaves, as he said, therewith to make him "sewelles" or "blanshers" to keep the deer within the wood, thereby to have better cry with his hounds.'

It is especially aggravating that, of those which do remain, the majority are not among the books to which prices are attached, only ten being priced. Judging from the analogy of the Library of the Sorbonne College at Paris University, the books not priced were chained in the Library for the common use of the College, the rule at the Sorbonne being that the best book of the class or author was chained. The duplicate copies and books not of general use, not chained, were kept in the Inner Library, and lent out to individual borrowers. The price put upon them was the price which the borrower had to pay if he lost them, and for which he generally had to give security. The rule of the Oxford University Library in 1439 was 'and for the better custody of the said books every of them shall be priced appreciably beyond the true value, which value every one taking one of the books on loan shall, if he lose it, be bound to pay to the chest, and with the sum so received another book shall be provided of like binding and shape, as soon as possible.' Hence it may be inferred that the catalogue prices were rather above than below the market value.

To arrive at anything like a comparative price with the present day we must multiply the figures given at least twenty times, reading pounds for shillings. We thus arrive at such prices as £20 for the *Golden Legend*; £6 13*s.* 4*d.* for the second best *Life of St. Thomas* (the 'martyr' of course, not the Apostle); £53 6*s.* 8*d.* for an Augustine *De Civitate Dei*; £63 6*s.* 8*d.* for St. Ambrose *On the Good of Death*; Stephen (Langton) of Canterbury *On Ecclesiastes*, was £53 6*s.* 8*d.*; and Notingham *On the Four Gospels* reaches the astounding figure of £133 6*s.* 8*d.*, and this was apparently the second best copy only. The three cheapest books in the list, priced at 12*d.* (or £1) each, are Sidonius' *Letters*, Augustine *On the True Life*, and a volume of Sermons (author not stated).

Philosophy seems on the whole to have run even dearer than Theology. Albertus (Magnus) *On Vegetables*, £53 6*s.* 8*d.*; the same *On the Rainbow*, and *Sleeping and Waking*, £40; the same *On Meteors*, £26 13*s.* 4*d.*; Burley *On Aristotle's Physics*, £50; an ordinary text of *Natural Philosophy*, £40; Cicero's *Rhetoric*, £5; Boethius' *Arithmetic*, £4. In this Faculty the only cheap book is a *De Anima* of Aristotle, price 6*d.* = 6*s.* Even an abbreviated commentary on the *Physics* cost 20*d.* or £1 13*s.* 4*d.*

Canon Law was a trifle cheaper. Two copies of Hostiensis *On Canon Law* cost £93 6*s.* 8*d.* and £80 respectively. The second best book of the *Decrees*, the gift of W. Tyrington, Canon of Lincoln, was £100; a fourth copy £33 6*s.* 8*d.*; a *Table of the Decrees and Decretals*, £46 13*s.* 4*d.* The *Pauperum*, an edition of the *Decretals* intended for Poor Scholars, cost £10—a year's income for a rather exceptionally well endowed Schoolmaster, or an average Canon. The cheapest unannotated copy of the *Decretals* was £3 6*s.* 8*d.*

Civil Law was relatively quite cheap. The most expensive book, 'the old Digest,' a small part of the whole Digest, being that part first discovered, was £30 13*s.* 4*d.*; the 'new Digest,' £23 6*s.* 8*d.*; the *Inforciatum*, £20; the *Institutes*, £40; the *Code*, £20. But you could lose a copy of the *Inforciatum* for £13; of the 'old Digest' for £5; and a tattered copy of the *Institutes* (debile par Institutionum) for the merely nominal price of £2.

It is very difficult to find comparative prices for these books. The Sorbonne List contains a very large number of prices given in £ *s.* *d.*, but it is quite clear that even at that time the French currency was much depreciated in value compared to the English. Thus sixty-two Bibles at the Sorbonne range from £5 to £24, or taking the same standard of twenty times (and considering the earlier date of the Sorbonne prices, about seventy years before, it ought probably to be much higher), the cheapest Bible cost £100. The cheapest price of a single book of the Bible, Job, was 5*s.* = £5; the highest price of the single book catalogued with Job, the Apocalypse, was £10 = £200; and most of them inclined to the higher rather than the lower figure.

In Canon Law a Summary by Raymund, Summa Raymundi, specially described in Wykeham's List as *Pulcra*, cost 13*s.* 4*d.*, i. e. £13 6*s.* 8*d.* In the Sorbonne List a copy of this book is priced at £5, i. e. £50. I have therefore not attempted a detailed comparison of the Sorbonne and New College prices.

I append however a comparative list of the prices stated in Markaunt's list of gifts to C.C.C., Cambridge, and Wykeham's gift to New College. The books which occur in both lists are not, it will be seen, numerous.

Wykeham.	£	*s.*	*d.*	*Markaunt.*	£	*s.*	*d.*
Bible . . .	2	13	4	Bible . . .	3	6	5
,, . . .	1	6	8				
,, . . .	1	0	0				
Omeliae Gregorii .		13	4	Gregorius super Homelias Evangelistarum . . .		14	0
Magister Historiarum		10	0	Magister Historiarum	1	6	8
,, . .	1	4	0				
Postillae super Epistolas Pauli . .	2	0	0	Glosa Ordinaria super Epistolas Pauli .	1	3	8
Scotus on First Book of Sentences . .	1	0	0				
Bonaventura super Secundum Sententiarum . . .		13	4	Bonaventura super Secundum Summarum (a mistake of transcriber) . . .	1	4	0
Distinctiones Fratris Nicólai de Gorham		13	4	Gorham's Distinctions		12	0
The Decrees . .	5	0	0	The Decrees . .	2	0	0
,, . .	1	13	4				
Martin's Table of Decrees and Decretals	2	6	8	Table of Decrees and Decretals . .	1	0	0
Text of Natural Philosophy . . .	1	6	8	Text of Natural Philosophy . . .		8	0
,, . . .		16	0				
,, . . .		13	4				
,, . . .		13	4				
Text of Philosophy .		16	0	Text of Philosophy .		10	0
Code . . .	1	0	0	Code . . .		8	0
,, . . .		6	8				
,, . . .		6	8				

The marvel is how with books at these prices the ordinary student ever got books at all. In point of fact they got very few. Hence the importance of lectures and the insistence on frequent lectures, the master having a book and reading from it, the students standing or sitting round and taking notes. Hence too the power possessed by a few books which got into vogue, and the enormous influence of the Bible, and, later, of Aristotle. Hence too the superior advantages possessed by the friars in their convents, with a corporate library, over the 'unattached' secular students who formed the bulk of the University. The collegiate movement was an absolute necessity if the secular University was not to be wiped out in the higher faculties by the influence of the friars. Some writers have talked as if the Colleges were parasites whose growth had stifled the growth of the University, their Alma Mater. But in truth if it had not been for the Colleges, there was every likelihood of the University sinking into a mere seminary. If it had not been for the Colleges, the University would have been destroyed by Henry VIII as simply a breeding-place of pestilent friars, if indeed there had been any University left to destroy.

No wonder that the donors of books asked for, and the donees gave, prayers for their souls, and that gifts of books were entered in the College Chartularies as carefully as gifts of land. Bishop Reed's anxiety on this head is really quite pathetic; and he seeks for prayers not only for himself but for the persons from whom he bought the books. Thus in one book, purchased early in his career, *Bradwardine v. Pelagius* (to give it a short title) is written, 'Liber Magistri Willelmi Reed, socii domus scolarium de Merton in Oxonia, quem ibidem scribi fecit de sumptibus sibi datis per Reverendum Dominum suum Magistrum Nicholaum de Sandwyco. Oretis igitur pro utroque et pro benefactoribus eorumdem ac fidelium animabus a purgatorio liberandis.' In another, the *First part of St. Thomas' Summary*, is written both at the top and bottom of the fly-leaf, 'Liber Magistri Willelmi Reed Episcopi Cicestrensis quem emit a venerabili patre Domino Thoma Trillek Episcopo Roffensi. Oretis igitur pro utroque.' On giving it to New College he had the

following inscription added: 'Liber Collegii Beatae Mariae Wyntoniensis in Oxonia in communi libraria eiusdem et ad usum communem scolarium eiusdem, maxime de diocoesi Cicestrensi de benignitate Episcopi Wyntoniensis in posterum assumendorum, cathenandus, ex dono venerabilis patris domini Willelmi tertii, episcopi Cicestrensis. Oretis igitur pro eodem et benefactoribus eiusdem ac fidelium animabus a purgatorio liberandis.' Therefore I have added to the lists of Wykeham's books the gifts of other benefactors entered in the same 'Liber Albus.' It is a pity there is no such stimulus to the foundation or augmentation of libraries now; though of making of books there is no end.

ARTHUR F. LEACH.

I ought perhaps to add that a list of books given to the chapel by Wykeham has been omitted as having no special interest, not containing details, while all are gone. The list comprised 62 volumes in all: viz., 12 Missals, three with music; 11 Antiphonars, eight described as large; one Gradual (Graduale) with music; one Collect book; two Martyrologies, one large, one small; three Lesson books; 13 Processionals, of which two are 'ancient'; one Ordinal, and 18 Graduals (Gradalia).

LIST OF BOOKS.

[1] *LIBRI FACULTATIS THEOLOGIAE de dono venerabilis patris Magistri Willelmi Reed, Episcopi Cicestrensis.* f. 3 (b).

		Secundo folio.
	In primis, una spissa biblia . .	stellis alii [2]
106	Item, Liber Sententiarum . .	(in textu) cultatem voluntates
	Augustinus super primam quinquagenam Spalterii (*sic*)	forte ut iudicentur
	Augustinus super secundam quinquagenam Spalterii	ad David
	Augustinus super tertiam quinquagenam Spalterii	aurem tuam
	Augustinus de civitate Dei . .	(in textu) bus huc
	„ de facultatibus ecclesiae	sit prima
	„ de libero arbitrio: *alias* liber Confessionum: Augustinus	non optemperabatur
	Augustinus de Trinitate . .	huius loci
	Omeliae Gregorii . . .	gens contra gentem
	„ venerabilis Bedae presbyteri	bi vestri
	Magister Historiarum . . .	domus in scientia
	Liber Concordantiarum . .	abissus
306	Crisostomus de opere imperfecto .	mum vel

Postillae N. de Lyra super totam Bibliam [3].

	Nicholaus de Lira super Pentatheuchum et Spalterium	exterior est

[1] The headings printed in large italics are in red in the original.

[2] These are the first two words on the second leaf, the usual way of identifying MSS. in mediaeval times. The words 'secundo folio' are added to every book in the original lists. These I have omitted as vain repetition. 'Item' is also put in the original before each book. This has been omitted for the same reason.

[3] The headings given in small italics are, in the original, written in the margin outside in brackets, and in red.

Idem super Josuae Judicum cum aliis	sic quod			
Super Parabolas Salamonis cum aliis	iuxta et			
„ Ysaiam cum aliis . .	ibi ultra			
„ Mathaeum cum aliis . .	cita humanitatem			
„ Actus Apostolorum cum aliis	est ipse			

Thomas super Evangelia.

Idem super Mathaeum et Marcum	crederent			
„ Lucam et Iohannem .	nomine Zacharias			

Summa Sancti Thomae.

120 Prima pars summae Sancti Thomae	posui			
121 Prima secundae et secunda secundae in uno volumine	commutabile			
124 Tertia pars summae eiusdem scilicet de Christo	(in textu) effectus			
134 Doctor Profundus[1] de causa Dei contra Pelagium	cognoscere causas			
Johannes Salusberiensis in Policraticon	(in tabula) verba quidem			
Tractatus de actibus machemeti .	incipit			
Distinctiones Nicolai Goram .	assumptus est			
Epistolae Petri Blesensis . .	sufficit			
Speculum Sancti Edmundi . .	in te			
Prophetiae Bridlyngton cum aliis .	iam veniens			
Alphabetum narracionum . .	num nomine			
Alexander Necham de natura rerum	nos idem	£	*s.*	*d.*
Postilla N. de Lira super Evangelia Mathaei et Lucae	titudinem . .	pretii[2]	10	0
Libri 2 sapientiales glosati . .	quasi		10	0
Quaestiones super 3^{m} sententiarum cum aliis	incarnacionis . .		5	0
Scriptum super primum sententiarum cum aliis	dicendum . . .		8	0
Collaciones de temporali cum aliis	inviolate . . .		8	0
Antiqui sermones de temporali et sanctis	daniales . . .		3	4
Lectura T. Alquini super 4to sententiarum	est tamen . . .		10	0

[1] i. e. Thomas de Bradewardina, Chancellor of London, i. e. of St. Paul's, afterwards Archbishop of Canterbury.

[2] The word 'pretii,' or rather the abbreviation 'p^{r} c^{i}' is in the original written before each price given, but this too has been omitted as unnecessary repetition.

			£	s.	d.
55	Evangelium Johannis et Apocalypsis glosatum	tibile	20	0	
	Sententiae super Apocalypsin cum aliis	de mensura . .	6	8	
	Notulae super 2m librum sententiarum	vel	3	4	
70	Concordantiae Bibliae . . .	4o macer 6o . .	8	0	
	Tabula super moralia Gregorii .	coitu	2	6	
97	Auctoritates doctorum cum multis aliis	(textu) secundum rationalem	2	0	
92	Sermones Vasconici de temporali et Sanctis cum aliis	rex tuus . . .	5	0	
	Sermones collecti de sanctis et de temporali	debito Io . . .	5	0	
	Sermones veteres de temporali et sanctis cum aliis	et bene . . .	3	4	
	Sermones de epistolis et evangeliis dominicalibus cum aliis	quia ad . . .	4	0	
	Sermones de temporali et sanctis .	(in tabula) dominica qua	5	0	
	„ plures de temporali .	omnis arbor . .	2	6	
	„ de temporali per circulum anni	(in textu) -dint prope feci	2	0	
	Sermones N. Gorham de communi sanctorum	(in textu) dulciter .	5	0	
	Summa sermonum W. Lugdunensis	caritas . . .	5	0	
	Sermones dominicales cum meditacionibus Bernardi	utilitas . . .	5	0	

LIBRI FACULTATIS THEOLOGIAE de dono venerabilis patris et domini Domini Willelmi de Wykeham Episcopi Wyntoniensis fundatoris Collegii praedicti. f. 4.

		Secundo folio.	*Pretii.* £	s.	d.
	In primis una pulcra biblia . .	qui populo			
	Item, alia biblia	Quare natus es			
	„	(in textu) vixit autem .	53	4	
	Magna biblia veteris testamenti .	(in textu) annis et ge			
1	Una biblia magna . . .	talia perstabat			
	Unus liber sententiarum . .	utuntur ad id reserv			
	Alius „ . .	de rebus			
	Alius „ . .	de trinitate . . .	20	0	

		£	s.	d.
Alius liber sententiarum . .	de gemina processione .		26	8
Tertius et quartus liber sententiarum	contra Deum facta .		10	0
Prima pars speculi historialis .	(in tabula) Maria nubit			
Secunda pars eiusdem . . .	(in tabula) Goaris confessoris			
Una tabula speculi historialis .	iungatur et ipse			

Augustinus.

Prima pars Augustini super spalterium	ideo non resurgunt			
Secunda pars eiusdem „	Pascha transitur			
Tertia „ „ „	quia pollicitus est			

Libri Gregorii.

Liber moralium Gregorii . .	sunt divinae			
„ „ . .	se sumere			
Omeliae Gregorii cum multis aliis	ne durabile			
Omeliae Gregorii . . .	(in textu) nullo tempore		13	4
Magister historiarum . . .	dixitque Deus . .		10	0

Psalteria Glosata.

Spalterium (*sic*) glosatum . .	praeter hoc			
Aliud „ „ . . .	libri caput			
Aliud „ „ . . .	beatus vir . . .		26	8

Epistolae Pauli Glosatae.

f. 4 (b).					
60	Epistolae Pauli	(in glosa), aput Graecos			
	„	credentibus . . .		20	0
	„	hortatur			
28	„	sint inexcusabiles			
	Postillae super epistolas Pauli .	et epulari . . .		40	0

Libri Crisostomi.

Crisostomus de opere imperfecto in uno quaterno	sic quam diu			
„ in quodam quaterno	Eius inclinata			

Thomas super Evangelia.

Thomas super Mathaeum et Marcum	noscendi			
Idem super Lucam . . .	et hoc			

			£	s.	d.
	Idem super Johannem . .	(in rubrico) origen in omelia			
	Scotus super primum sententiarum	em sectam . . .	20	0	
16	Liber genesis glosatus . . .	Deum et Dominum			
17	„ Leviticus glosatus . .	(3° folio) telligibilem [1]			

Biblia, glosata pro maiori parte.

	Liber Josuae glosatus . . .	semper assistit			
18	„ Paralipominon glosatus .	(in rubrico) incipit			
20	Parabolae Salamonis glosatus .	etiam dictis			
24	Liber XII Prophetarum . .	(in glosa) Domino			
23	„ Ezechielis cum aliis glosatus	tanquam			
	Evangelium Mathaei et Marci glosatum	(in glosa) racio			
	Evangelium Lucae et Johannis glosatum	(in textu) it autem			
27	Actus Apostolorum glosati . .	(in textu) quos elegit			
19	Liber Job glosatus . . .	sicud de aliis			

Libri bibliae glosati.

	Liber Genesis glosatus . .	tempus angelicam .	20	0	
25	„ Esdrae „ . .	(in textu) in anno .	23	4	
21	„ Ysaiae „ . .	(in glosa) audite . .	10	0	
24	„ XII Prophetarum glosatus .	(in textu) uxorem .	13	4	
	„ „ „ .	„ Naboth .	10	0	
	Postillae super XII Prophetas et Apocalipsin	„ oris mei .	10	0	
	Evangelia Lucae et Marci glosata	„ fuit in diebus	10	0	
	Evangelia Johannis et Lucae glosata	(in glosa) alii concederent			
	Actus Apostolorum glosatus .	(in textu) vel momenta	5	0	

Legendae aureae.

	Legenda aurea	va Pentecostes . .	20	0	
	Alia „ „	in secunda Salutem			

De vita Sancti Thomae.

	Liber de vita Sancti Thomae .	(in textu) ducentae			
	Alius „ eiusdem . . .	continuant . . .	6	8	
	„ „ „ . . .	et in dies			

[1] The third folio is given because folio 2 is largely taken up with an illumination of God, standing in an open-air pulpit, addressing Moses.

			£	s.	d.
	Racionale divinorum	-plic ritus			
	Hugo de Sancto Victore	-percrere			
	Summa Collacionum	secundae partis			
	Prophetia Sibillae	me dicet			
	Epistolae Clementis Papae	mansuetudine			
	Liber Innocentii de miseria condicionis humanae, cum multis aliis	Deus erat	10	0	
	Pars oculi[1]	debet alienum			
f. 5.	Innocentius Papa in libro de misterio et significatione missae	David prophetarum	3	4	
98	Summa quae vocatur numerale	sicut et in manu	10	0	
	Liber vocatus Augustinus de civitate Dei	tatis Dei	53	4	
117	Thomas super tertium	sere sed lignum	10	0	
	Magister Historiarum		24	0	
	Summa Willelmi, Cancellarii Lyncolniensis	virga	10	0	
	Postillae super Johannem	tacionem	13	4	
	Thomas super primum (i. e. Sententiarum)	eciam	13	4	
	Manipulus florum	limitates	14	4	
	Bartholomaeus de proprietate rerum	duae	53	4	
	Thomas super primum et secundum	sed scientiae	26	8	
47	Postillae super Mathaeum	magestate	13	4	
101	Historia Scholastica	cantare	23	4	
108	Magister sententiarum	abusive	20	0	
	Postilla super parabolas, cum aliis	et non act	20	0	
	Sermones Bernardi	quod autem			
	Postillae super parabolas Salamonis	est ut	6	8	
	Summa Altisidorus	audiens	30	0	
	Augustinus de modo vivendi, cum aliis	proveniet	26	8	
	Libri Ambrosii de bono mortis, cum aliis	Turres	63	4	
	Haymo super epistolas Pauli	quam perthôs	100	0	
	Thomas super secundum Sententiarum	bono	10	0	

[1] A 'Pars oculi Sacerdotis' comprised in the possessions of the Parochial Vicar of Southwell in 1369 was valued at 6*s.* 8*d.* *Visitations and Memorials of Southwell Minster,* Camden Society, 1891. Edited by A. F. Leach.

			£	*s.*	*d.*	
	Augustinus de verbis Domini, cum aliis	Nichil . . .		26	8	
	Sermones Beati Augustini . .	non reprehendentem .		26	8	
	Bonaventura	indiget . . .		13	4	
	Thomas super Johannem . .	bonorum . . .		10	0	
40	Postillae super Ysaiam, cum aliis .	attencionem . .		13	4	
	„ „ Epistolas Pauli .	ille querens . . .		13	4	
	Petrus Scenonensis . . .	et similiter . . .		6	8	
	Liber Anselmi	quis nunciabit . .		26	8	
64	Expositio super Apocalypsin .	cavit		6	8	
	Odo de Sermonibus . . .	dediti		6	8	
	Cronica	Capadocia . . .		16	0	
	Augustinus de correctione et gracia, cum aliis sermonibus	contrarius . . .		6	8	
	Thomas super 3tium et partem 4ti	heu non pert. . .		10	0	
	Distinctiones Biardi . . .	congregare . . .		13	4	
	In vitas patrum, cum aliis . .	ut vivificet . . .		10	0	
	Unus Liber qui incipit 'attendite'	valida		6	8	
	Omeliae Gregorii super Ezechiel .	Dei omnipotentis				
	Libri Petri Parisiensis . . .	et prolixitate . .		13	4	
	Sermones „	et ad ro . . .		8	0	
	„ fratris G. de Tornaco	alium		10	0	
	Distinctiones fratris Nicolai de Gorham	aquila		13	4	
	Sermones pro visitacionibus .	incipiens . . .		6	8	f. 5 (b).
	Legenda sanctorum . . .	de septem fratribus				
	Unus doctor vocatus Notyngham super 4or Evangelia	qua per aliud . .	6	13	4	
1	Psalterium glosatum cum glosa ordinaria	Homo miser . .		30	0	
1	Doctor super Psalterium vocatus Fyschacre	sedere est regnantis .		33	4	
1	Doctor vocatus Fyschaker (*sic*) super primum Sententiarum	primum . . .		6	8	
1	Doctor vocatus Stephanus Cantuariensis super ecclesiam, in duobus voluminibus	(primae partis) -tis cum igitur; (secundae partis) trium germinum		53	4	
	Evangelium Mathaei . . .	(in textu) transmigrator		2	0	
	„ Iohannis glosatum .	concepcio . . .		3	4	
54	„ „ „ .	(in textu) lumine . .		6	8	
56	Quaternus sermonum . . .	Ierusalem . . .		3	0	

		£	s.	d.
Postillae ad Romanos in quaterno	quod non . . .	3	4	
Biblia versificata . . .	sit	5	0	
Notulae super Bibliam . .	tempora sanctae . .	2	0	
Postillae super librum Sapientiae, in quaterno	heretici . . .	3	4	
Liber de Gestis	te Inferior . . .	2	0	
Quaternus sermonum . . .	(in textu) penitentiae .	2	6	
Postillae super Mathaeum, in quaterno	voce patris . . .	12	0	
Exposicio super psalterium, cum aliis	ad altare . . .	5	0	
Epistolae Sidonii, in quaterno .	ut acuset . . .	0	12	
Augustinus de cognicione verae vitae, in quaterno	cum quanta . .	0	12	
Sermones pro diversis temporibus anni, in quaterno	(in tabula) estote; (in textu) fugientem	3	4	
Quodlibet, in quaterno . .	fortiter ut . . .	2	0	
Unum quaternum . . .	diligite . . .	2	0	
Alium quaternum . . .	sufficienter . . .	0	12	

(*De dono Magistri Henrici Whytefeld.*)

Notingham super Evangelia, in duobus voluminibus	(primae partis) dicta haec sunt; (secundae partis in textu) erat autem in proximo

(*De dono Magistri Walteri Skyrlowe, Episcopi Dunelmensis.*)

Prima pars summae Sancti Thomae	qui habet scientiam
1 Biblia parva	id est docibiles
Josephus antiquitatum[1] . .	in principio
Liber concordantiarum . .	Psalmo 5to d. virum sanum
Augustinus de mirabilibus sacrae scripturae, cum aliis	cum suo modo
Sermones Petri Ravennensis .	(in tabula) curaret
Determinaciones Gandavi	
Tractatus de penitentiis, cum aliis	

[1] It is difficult to say whether this book and those following are of the Founder's gift or not. There is a gap after Josephus. The next book however seems to be written in the same hand, but Augustinus and the rest seem to be in a different and perhaps later hand.

Summa de confessione et penitentia et peccatis	Beati Gregorii
Tabula in quaternis . . .	deus et filius

(*De dono Magistri Thomae Burton.*)

Tarentinus super 4 Sententiarum .	
Una biblia	sum qui
Bonaventura super 2m Sententiarum; *ex donacione venerabilis viri Gaysgoyn*[1], *S.T.P. facta dicto Collegio A.D.* 1449, *mense Septembris, et die Sancti Ieronimi; et illum librum sibi fecimus ac[c]omodari ab eodem ad terminum vitae suae*	conveniens metui

Ista subscripta bona dedit Willelmus Porte [1458]. **f. 8.**

[Chalices, missal, vestments, &c.]	
Item, librum de miraculis Sanctae Mariae	gratissima obtulit
Primam partem Redactorii moralis	stulta enim
Summam praedicantium . .	bulemus
Psalterium glosatum . . .	um aliquando
Rudulphum super Leviticum; continentur pastoralia Gregorii; dialogi Gregorii; omelias eiusdem super Ezechielem; omelias eiusdem super Evangelia	sed hoc verbum
Augustinum de civitate Dei . .	vitata
Glosam plenam et utilem, super 4or Evangelistas	(in textu) Iacobus 2di Imperio
Augustinum de verbis Apostoli .	requiem
Vincentium in speculo historiali in duobus voluminibus	primi, tore,
Collaciones Sanctorum patrum .	cum
Ieronimum super Matheum . .	viginti
Secundam partem dictionarii .	k

[1] This or another of the name, Mr. Thomas Gascoinge, priest, of the diocese of York, S.T.P. gave in 1456 the undermentioned relics. [A piece] of the Lord's sepulchre: of the place where Christ sweated blood: of the place where the B. V. M. gave up the ghost: of the flesh of St. Paul the Apostle. Bone of Blessed Mary Magdalen. Two small bones of St. Brigitt, widow. Bone of St. Vincent the Martyr. Bone of St. Ambrose, Doctor. [A piece] of the tomb of St. Gregory, the Pope.

Catholicon	generacio
Catonem morelisatum . . .	necessaria

[After a long list of other ornaments, altar cloths, copes, &c., and in a different hand.]

Prima pars dictionarii . . .	Aron
Augustinus De civitate Dei; et de retractationibus suis	tempore
Liber moralium	stabilis
Exposicio Sancti Augustini super Epistolas Pauli	rorate caeli desuper 2nda parte, quidam ydoneus
Melliloquium Augustini . .	in fine
Josephus antiquitatum . . .	processit
Secunda pars eiusdem Josephi .	inter eos
[1] Vita et epistolae Sancti Thomae	virtutum

In consideration of these 'precious gifts,' as they are called, the Warden, Thomas Chaundler, and Fellows, by Deed Poll dated 8 February, 145$\frac{8}{9}$ (f. 240–1), promised special mention of the donor, William Port, and Alice his wife, among the chief benefactors of the College in their services and prayers; any one convicted before the Warden and Bursars of omitting it, to be fined 4*d*.

The books are described as 'libris, videlicet notabilibus viribus ad optancium sapienciam animi cicius reficiuntur, haereses et errores ceteri in ecclesia Christi eradicantur.' It is said that the donor besides these books 'tam utiles Collegio' gave other goods, jewels, and ornaments.

f. 14. *Bona legata Collegio per Magistrum Iohannem Bowke quondam custodem Collegii antedicti.*

In primis, unum missale pro altari Sancti Nicholai	
[Certain vestments, &c., for the same altar.]	
1 Portiforium, ad usum unius socii collegii praedicti dum steterit in eodem	praeterquam in

[1] This is followed by an item, which I cannot help giving, though irrelevant, 'apparatus nigrorum pannorum pulverisatorum cum leonibus fulvis pro magna aula.'

Magistrum Historiarum . .	labores hominum
Legendam Sanctorum, ad usum M. Nicolai Osulbury[1], custodis collegii praedicti, dum steterit in eodem, ita quod postea idem liber imperpetuum remaneat collegio supradicto.	(in calendario) De sancto Mathia

Memorandum quod Reverendissimus in Christo pater et dominus, Dominus Willelmus Warham, Archiepiscopus Cantuariensis A.D. 1508 *contulit collegio Beatae Mariae Wyntoniensis in Oxonia libros*[2] *subscriptos, viz.* f. 6.

In primis, unum missale, impressum in pergameno	libri racionibus
61 Item, Gorham super epistolas Pauli, et epistolas Canonicas	Ad exemplum
Glosam super epistolas Pauli .	ut inter se
Magistrum Sententiarum . .	(In textu) manendum
129 Epistolas Ieronimi . . .	Sic id est
Augustinum De civitate Dei	
„ De natura et gratia, cum aliis opusculis	Nolo dicere
Expositorem super Epistolas Pauli	Paulus servus
„ „ libros Augustini De civitate Dei	attribuentes
Librum de Suetonium de vita Caesarum	primum maiorum
Sanctum Thomam super quartum	Sicut Baptismus
Primam partem summae Sancti Thomae	libri posteriorum
Moralia Gregorii . . .	vicium corporis
Racionale divinorum . . .	Distinguitur autem
Hugonem de Viennia super Apocalypsin	Naturalis scientia
Librum de ministeriis (*sic*) missae	Quia quis quidem
Scotum super 2nda parte Sententiarum	Non enim potest

[1] Warden 1435.

[2] These books were followed by another large gift, partly of MSS. partly of printed books, by Warham's will, but this does not appear in the Liber Albus. He was a keen Wykehamist.

Scotum super 3ª partem (*sic*) Sententiarum	Ad ipsum			
Scotum super 4 parte Sententiarum	possit in virtute			
Unum aliud pulcrum missale, et nobiliter scriptum, deauratum				

f. 7. *LIBRI FACULTATIS PHILOSOPHIAE de dono Domini fundatoris praedicti.*

		£	*s.*	*d.*
In primis, Bartholomaeus de proprietatibus rerum	et de omnibus			
Item, liber de regimine Principum, cum multis aliis	contumelia			
Boycius de consolacione philosophiae	(in textu) istud opusculum			
Tractatus de spera, in parvo volumine	transiens			
Albertus, de Yride, et sompno et vigilia, cum multis aliis	sit a luce . . .		40	0
Albertus de vegetabilibus et plantis, cum multis aliis	sit autem . . .		53	4
Thomas super libros Ethicorum .	met		10	0
Textus philosophiae . . .	subiciant que . .		16	0
Commentator super libros phisicorum	ater aqua . . .		13	4
Textus Metha[physi]cae . .	scientiam que . .		10	0
Commentator super libros De Anima, et super libros Metaphysicae	nibus verbi gratia .		10	0
Commentator super libros Caeli et Mundi	quantitates unum .		5	0
Commentator super libros De Anima, et aliis multis	similibus et si . .		10	0
229 Albertus super librum Metheorum et alios multos	Redeamus igitur . .		26	8

(*De dono Magistri W. Reed, Episcopi Cicestrensis.*)

Liber de Anima, continens 3 libros cum aliis	esse dicit . . .			6
Textus naturalis philosophiae .	neque quale . .		16	0

		£	s.	d.
Textus naturalis philosophiae .	autem . . .		13	4
„ „ „ .	accipit . . .		13	4
Egidius super libros Physicorum .	non esset . . .		13	4
1 Textus naturalis philosophiae .	et haec sine . .		26	8
Exposicio Thomae de Alquino super Methaphysica Aristotelis	habebunt et sunt . .		13	4
1 Doctor vocatus Burley super libros Physicorum	incomplexa . . .		50	0
Tractatus de Animalibus . .	et oportet . . .		4	0
Commentator Physicorum abbreviatus, cum aliis, in quaterno	non separabile . .			20
Quaternus cum Commentatore super quosdam libros Phisicorum	sit si autem . .			20
Quaternus cum Commentatore super libros Phisicorum	universis de vita . .			20

(*De dono Magistri W. Reed, Episcopi Cicestrensis.*)

Rethorica Tullii	profecto . . .		5	0
Arsimetrica (*sic*) Boecii, cum aliis	actus		4	0
Textus naturalis philosophiae .	gistas		40	0
Unus liber perspectivae et pos^r^ cum aliis	in collo			
Unus Commentator Caeli et Mundi	et corpus			
9 Partes Dumbelton[1] . . .	Quaelibet res			
Commentator super libros Physicorum	ligere			
Quaternus cum questionibus, et Burlee de potentiis animae	Et eciam			

LIBRI FACULTATIS IURIS CANONICI de dono Domini fundatoris praedicti. f. 13.

Libri Decretalium.

In primis, Liber Decretalium .	(in textu) dampnamus			
Item, alius Liber Decretalium non glosatus	(in textu) fuerunt .		3	4
Alius Liber Decretalium . .	(in textu) nam concupiscentiam . . .		10	0

[1] This and the two following books are in a different and apparently later hand.

		£	s.	d.
Alius Liber Decretalium . .	(in textu) git et tres sunt		16	8
Alius Liber Decretalium . .	(in textu) neque genita		16	8

(*De dono Magistri W. Reed, Episcopi Cicestrensis.*)

Alius Liber Decretalium . .	(in textu) unum asserit			

(*De dono Magistri Iohannis Billyngton.*)

Alius Liber Decretalium . .	(3° folio) in textu tas in vera			
Textus[1] Decretalium dictus Pauperum	satisfacere . . .		10	0
Textus libri Decretalium, unde 4tus glossatus	earumdem . . .		5	0
Textus Sexti et Septimi libri Decretalium, cum multis aliis	ecclesia . . .		10	0
Glosa super Decretalia . .	inspicienda . . .		26	8
Summa T. Chabeham de prima .	beati Gregorii . .		5	0
Summa Raymundi, pulcra . .	voluntas . . .		13	4
Tractatus brevis de prima, cum aliis (scratched out in original)	ingratitudo . . .		5	0

Libri 6ti *Decretalium.*

Unus liber Sextus Decretalium cum Doctoribus	(in glosa) Io. Aud. clare			
Alius liber Sextus Decretalium, cum tribus glosis	(in textu) super hoc			

(*De dono Magistri W. Reed, Episcopi Cicestrensis.*)

Alius textus Decretalium . .	(in glosa) alithi lit--eris papalibus	100	0	

Libri Clementinarum.

Liber Clementinarum, cum tribus glosis	(in glosa) notatur per gar			
Alius liber Clementinarum, cum duobus doctoribus	(in textu) et in scolis			
183 Alius liber Clementinarum, cum duobus doctoribus	„ communicare cum 2 doctoribus	53	4	

Decreta.

Unus Liber Decretorum . .	(in textu) privilegium			

[1] It must be understood that here, as elsewhere, we revert to Wykeham's own gift. The interpolations in brackets are in the margin in red in the original.

(*De dono Magistri W. Reed, Episcopi Cicestrensis.*)

			£	s.	d.
1	Alius liber Decretorum . .	sinit, sunt autem . .	100		0
1	Alius liber Decretorum . .	(in textu) cognominatae			

(*De dono Domini Willelmi de Tyrington, Canonici Lyncolniensis.*)

1	Alius liber Decretorum . .	(in textu) ad medias noctes	33		4
1	Glosa super Decreta . .	racio habeatur			
	Alius liber Decretorum . .	porro			

Doctores.

	Tabula super Decreta et Decretalia	vel contra . . .	46		8
	Glosa Iohannis Andreae super sextum librum	3° fo. dere a solo patre	20		0

(*De dono Magistri W. Reed, Episcopi Cicestrensis.*)

	Glosa Compostolani, cum pluribus aliis tractatibus	profundum			
	Hostiensis in lectura, in 2 voluminibus	-um debet dicere commissae excedat			
	1 Alius Hostiensis in lectura .	Pandectarum			
	,, ,, ,, . .	Stipendiis militare			
	,, ,, ,, . .	alibi studentes tonsuram	4	13	4
	Hostiensis in summa . . .	hiis duobus testamentis			
	Alius ,, . . .	Item theologiam . .	4	0	0
	1 Speculum Iudiciale . . .	sed secundae partis			
	1 Speculum Praelatorum . .	s cuius racionem			
212	1 Reportorium Durandi . .	De Aposta . . .	10		0

(*De dono Magistri W. Reed, Episcopi Cicestrensis.*)

	Johannes Andreas in Add. . .	contraria inde			
	Summa Summarum . . .	(4° folio) sic quod sic			
	1 Alius liber qui vocatur Iohannes lector	(3° folio) infra annum			
	Unus liber decretorum . .	decisio			
184	,, decretalium . .	suggestione			
	,, sextus . . .	ab eo			
	,, Clementinarum . .	in unum			

		£	s.	d.
Unum par decretalium[1] . .	accipiamus			
,, ,, . . .	idem			
Gofredum in summa . . .	in principio			
Innocencius	habet locum			
vj^tus liber decretalium[1] . .	affarente . . .	30	8	
Alius liber sextus decretalium .	damus quatinus . .	75	0	

(*[2]De dono Magistri Iohannis Wykeham quondam Rectoris de Crundale.*)

	Iohannes in novella super libro vj^to cum opere mercuriali	quid dicam
182	[3]Petrus de Anchorano super librum Clementinarum cum extravagantibus	loquitur de religiosis
	Tabula per ordinem alphabeti .	ut laxiorem
	Repetitiones Domini Frederici de Senis Questiones Oldradi, et vocatur summa	ubi queruntur
	Iohannes in novo opere super speculo Repertorium Baldi super speculo	dividerent
	Iohannes Caldini et Gaspar super libro decretalium Tabula Baldi super glosis et doctoribus per modum alphabeti Reportorium Baldi super Innocencium per modum alphabeti Cotidiana domini Innocencii et continet folia 32 Tabula eiusdem Iohannis super bibliam et decreta Margarita Baldi super Innocencium, et continet x folia Repetitio Domini Francisci de Saberell Scriptum eiusdem super arbore consanguinitatis	Decretalium

[1] In a later ink and hand.

[2] In another hand, together with all the books specified below it. This John Wykeham was the Founder's nephew. In the Founder's will he says, 'Item lego Magistro Joanni Wykeham, Rectori ecclesiae de Buryton pro inceptione sua in theologica et aliis actibus scolasticis £5.'

[3] This is wrongly attributed to the Founder in Coxe's Catalogue.

Summa Iohannis Andreae super quartum librum Decretalium	comodum
Tractatus Bartholomaei super reprobatione testamentorum	
Petrus de Anchorano super 2° libro Decretalium	
Iohannes Andreas super libris Ieronimi	
Speculum domini Baldi	
Petrus de Anchorano super 3 et 4 libris Decretalium	castigacio
Conclusiones Rotae: Tractatus Belial: Questiones Domini Frederici de materia permutacionis	Dilac
Iohannes de Liniano super Clementinis	l placuit
Summa Tancreti de Corneto	

(*De dono Magistri Thomae Burton.*)

Liber Decretorum . . .	pronunciant
Liber 6tus	fideli
Liber Clementinarum . . .	et pro se
Willelmus super librum Clementinarum	vel occultis
Iohannes in novella super sextum	collatis
Speculator	recte
Innocentius	qui exceptione
Innocentius	cum accessissent f. 14.
Bartholomaeus Bryxencis . .	ri voluntas

De libris datis per Magistrum J. Elmer ad usum Sacerdotum de capella, A.D. 1416. f. 46.

Memorandum quod Magister Iohannes Elmer, ad usum sacerdotum de capella, ut eum in suis orationibus specialiter habeant commendatum cum eisdem condicionibus et modis, sub quibus usus librorum Collegii sociis conceditur, secundum discreccionem et assignaciones Decani Canonistae per indenturas suas hinc inde factas, ex pia largicione concessit et donavit Collegio libros infrascriptos, ita quod semel in anno vel pluries, si opus fuerit, coram eodem Decano dictorum librorum realis visio habeatur, viz.

librum Decretalium . . . catum per veram
[a blank follows for the other books, which has never been filled.]

Quod si nullus sacerdos de capella in iure canonico studere et praefatos libros effectualiter occupare voluerit, tunc eundem usum habeat indigenter socius, iuxta discreccionem Decani superius nominati, donec fuit alius capellanus, qui libros huiusmodi, indigens ut praemittitur, occupabit: quo casu absque difficultate liberacio sibi fiat.

Dictorum vero librorum reparacio ad eos qui usum habent pertinere debebit.

f. 17. *LIBRI FACULTATIS IURIS CIVILIS de dono Domini fundatoris praedicti.*

Libri Institucionum.

		£	*s.*	*d.*
Imprimis, Dominus Chinus . .	me uno			
Item, Parvum volumen . .	leges			
„ Aliud parvum volumen .	mulo quirites . .		40	0
„ „ „ „ .	nos Virgilius			
„ „ debile par Institucionum	proprio partim . .		2	0

Libri inforciatum.

Liber inforciatus	ex die matrimonii		
Alius liber inforciatus . . .	(in textu) quae nupta .	20	0
„ „ „ . . .	„ tam quo dotale	13	0
Aliud inforciatum . . .	„ ut etiam si .	13	4

Libri Digestorum novorum.

Digestum novum non ligatum .	(in textu) sin autem		
Aliud Digestum novum . .	„ nam in hiis .	23	4
„ „ „ . .	„ de pupillo		

Libri codicis.

1 Codex a prohemio . . .	(in textu) applicans expositiones	20	0
1 alius codex prohemio . .	(in textu) sedes doctrinam		
„ „ „ . . .	(in textu) ium hoc quod	6	8
„ „ „ . . .	„ imitata vel .	5	0

Libri Digestum vetus.

Digestum vetus	(in textu) scriba eius .	5	0
Aliud Digestum vetus a prohemio	„ videtur esse		

		£	s.	d.
Aliud digestum vetus a prohemio .	(in textu) uus in titulo viagii	20	0	
Digestum vetus[1]	„ gibus ideo que			
„ „	compositae sunt			
„ inforciatum . . .	Item ob res			
„ novum . . .	(erased and illegible)			
„ „ . . .	quis muro			
„ „ . . .	simul erit			
Codicem	fragium sanctioni			
Azonem in Summa . . .	Maria et homo			
Casuarium super codice . .	iubemus dicitur			
Rofredum cum duobus aliis doctoribus	secundum legem et secundum canones			
Codices empti de pecuniis Domini per manus Willelmi Reede	consularis . . .	23	9	
Digestum vetus	eo anno			
Digestum inforciatum . . .	alii viro . . .	21	0	
„ vetus	(in textu) tribus quia vetus	21	8	
173 1 Codex	faciat	31	4	
„	cati nullatenus . .	24	4	
„	advocati nullatenus .	28	0	
Digestum vetus	ciones et libri . .	30	8	

Ex dono Magistri Iohannis quondam Rectoris Bonon.

Opus Baldi super 10a collac Commentum eiusdem de Pace constantiae Lectura Domini Bartholi super 3bus libris extraordinariis, et quaestiones Iohannis Caldrini	intentum suum

Presens inscriptio[2] deducat in noticiam praesencium et memoriam **f. 2.** futurorum quod bonae memoriae Magister Robertus Keton, licenciatus in legibus, et quondam socius Collegii Beatae Mariae Wyntoniensis in Oxonia, qui A.D. 1429 in festo Bartholomaei migravit a seculo, ad honorem Dei et gloriosae virginis matris eius, et ob salutem animae suae et caritatis intuitu, ut eo specialius atque devocius inter ceteros dicti Collegii benefactores ipsius memoria in communibus eiusdem loci suffragiis recolatur, legavit eidem collegio bona subscripta, viz.

[1] The rest of the Civil Law books are in another hand, but whether later is doubtful.

[2] In a later hand.

Unum corpus iuris civilis, viz.	
unum parvum volumen . .	secundo folio (in textu) eruditos
Item, unum Corpus . . .	„ „ studioque
„ Digestum vetus . .	„ „ ingestente
„ „ inforciatum .	„ collapsum restituit
„ „ novum . .	„ tollere
„ Iacobus de Ravenna super Digestum novum	„ vel ecclesiae.

Et qui hanc inscriptionem deleverit Anathema sit etc.

Libri donati Collegio per Magistrum Willelmum Pakett ad usum Thomae Brent dum steterit in Collegio, deinde ad usum alicuius alterius socii.

Liber Decretalium	fuerunt.
„ „	
In antiqua compilacione . . .	minoribus.
Liber Clementinarum	di
W. in speculo	volumina

f. 3 (b.) Iohannes Bristow, capellanus ac vicarius perpetuus Collegii Sancti Stephani apud Westmonasterium, donavit librum Collegio Beatae Mariae Wyntoniensis in Oxonia vocatum Sophilegium, A. D. 1462, 10 Februarii, per manus Georgii Dawne, custodis capellae praedictae.

f. 11. *LIBRI FACULTATIS MEDICINAE*[1].

170	Ars medicinae	ab aequalitate
	Contentum de libris Galieni . .	historum musculorum
	Expositor super artem medicinae .	tica musica
	Antitodorium (*sic*) Nicholai . .	fe ten^ta
	Liber Cirurgiae	capitulum
	„ medicinae	convenit
	„ „	capillorum
	„ „	non faciunt
	„ „	cadunt
	„ „	nasturciam
	„ cum expositorio Caphonis .	grossis alaudis
	„ medicinae	labia ulcerata
	Practica Bartholomaei . . .	egritudinibus
171	Liber medicinae	elementum
	„ „	dicti sunt
	Passionarium Galieni . .	oleuum

[1] This list is in another and apparently later hand than the other main lists.

Liber medicinae	fascia
„ artis medicinae . . .	cibus qui
Rasiz in Almos	alabori
63 Averoys in collecta . . .	repercussis
67 Liber medicinae	qua calor
„ „	de residuo
„ „	imperio
„ „	signa
Antitodorium Nicholai . .	amonii
Liber medicinae	vera Trenesis
„ „	montibus
„ cirurgiae	aperti
Passionarium commune cum aliis .	Fomentacio
Liber alter Ypocratis . . .	et ideo
Pars Gilbertini Anglici, cum aliis .	vertus
Girardus super viatico constanti, cum aliis	pilis
Galienus de interioribus, cum aliis	componi
Passionarium commune . .	letargicum
Liber continens problemata auxiliaria viatico constanti, cum aliis	cuius signum
Antitodorium Nicholai cum aliis .	consitiens
Par	item Galienus

Libri medicinae cathenati in libraria. f. 1 (b).

Galienus de electis, cum aliis .	Rebus
64 Collecta Averoys cum aliis . .	et removere
Ars Medicinae	uni et decrescere
Canon Avicennae . . .	(in tabula) Quae accidunt
68 Tractatus Mesue de simplicibus .	pusill
Tractatus Benvenuti Graphoei de medicina oculorum et aliis	dicimus
Exposiciones super artem medicinae, cum questionibus	oportet tam subtilem
65 Gilbertinus	actioni membrorum
Iohannes Alexander super epidimica Ypocratis	et in bellis
Bernardus de methodo curandi morbos, cum aliis	sunt vera
Girardus de medicinis laxativis, cum aliis	habet enim
Diascorides de summa medicina .	elleborum album

Gadesden super affectibus[1] . . et finire
Rosa medicinae
Alia Rosa medicinae

f. 12 (b). *LIBRI ASTRONOMIAE.*

In primis, liber astronomiae . cicli
Item, alius „ „ . Drawe hyt out

[1] In Benefactors' Book, 'Girardus super aphorismis.' The original MS. has 'Gad. super aff.' I have not been able to identify it under either reading.

PART V.

CORRESPONDENCE

OF

HENRY EARL OF CLARENDON

AND

JAMES EARL OF ABINGDON

CHIEFLY RELATING TO THE MONMOUTH INSURRECTION

(1683–1685)

[MS. Clarendon 128, Bodleian Library]

EDITED BY

C. E. DOBLE, M.A.

LIST OF ILLUSTRATIONS.

I. Portrait from a Pencil Drawing by Thomas Forster (*see* p. 249) . . . . . *to face* p. 246

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III. Rough Plan of the Battle of Sedgemoor, from a Contemporary Sketch (*see* p. 250) . . . *to follow* p. 278

FROM A PENCIL DRAWING BY THOMAS FORSTER

(*MS. Clarendon 128*)

INTRODUCTION.

THE following letters present several points of interest for all who concern themselves with Oxford history. They were, for the most part, written at a very critical time, by Henry second Earl of Clarendon, *Custos Privati Sigilli*, and High Steward of the University, to James first Earl of Abingdon, Lord Lieutenant of Oxfordshire [1]. They are without exception holographs, and were presented to the University by Edward Geoffrey Earl of Derby, Chancellor of the University from 1852 to 1869, having probably passed into his hands at or after the sale of the third Lord Berwick's library (d. 1842) [2]. Lord Berwick was descended from a sister of Richard Hill, the eminent diplomatist (1655–1727), who was tutor to Lord Hyde, eldest son of Laurence Earl of Rochester, and nephew of Henry Earl of Clarendon, the writer of these letters [3].

The Vice-Chancellor to whom Lord Derby's letter was addressed was Richard Lynch Cotton, D.D., V.C. 1852–1856 —the 'Humble Christian' of Dean Burgon's *Lives of Twelve Good Men*.

[1] For the life of Henry second Earl of Clarendon (1638–1709), see *Dictionary of National Biography*, xxviii. 389 sqq. An engraving of Lely's portrait of him is prefixed to Singer's edition of the *Correspondence*. James Bertie was the son and heir of Montagu second Earl of Lindsey, by his second wife Bridget Baroness Norreys of Rycote. He succeeded his mother in the barony as Lord Norreys in 1679, and was created Earl of Abingdon November 30, 1682. He died May 22, 1699, in the forty-sixth year of his age. See Davenport, *Lords Lieutenant, &c., of Oxfordshire* (1888), 7 sq. He was discharged from the Lieutenancy in 1687, but was re-appointed by William and Mary in March, 1689. He was again discharged in 1697. Numerous references to him will be found in Luttrell's *Diary*.

[2] Roberts, *Duke of Monmouth*, i. 297, ii. 174.

[3] See *Dictionary of National Biography*, xxvi. 405, under Richard Hill; and ib. 427, under William Noel-Hill.

Mr. Singer, in his edition of the *Correspondence of Henry Hyde Earl of Clarendon* (2 vols. 4to, 1828, vol. i. pp. 133 sqq.), has printed the letters of Lord Abingdon to Lord Clarendon to which those appearing here for the first time supply the key. The relation of Lord Derby's gift to the well-known letters printed by Singer has, strangely enough, escaped notice hitherto. I have not thought myself justified in reprinting Lord Abingdon's letters, which are generally accessible; but the correspondence of the two earls forms one series, and must be read together.

The letters of Lords Clarendon and Abingdon, with those preserved in the Hatton and a few other collections, in conjunction with the very full account given in Mr. Clark's exhaustive edition of Wood's *Life and Times,* probably furnish the materials for as complete a sketch as we can hope to possess of our University and City during the Monmouth rebellion.

It is difficult to explain why Lord Abingdon found it necessary to prepare so many drafts of his letter—which does not after all appear in the *Clarendon Correspondence*—congratulating Lord Clarendon on the victory of Sedgemoor. Clarendon and Abingdon were among the very first English noblemen to join the Prince of Orange on his military promenade from Brixham to London; but it is certain that, at this time, they were both staunch adherents—despite his creed, which they detested—of James the Second.

The details of Monmouth's rising still possess a singular fascination for the wanderer in the by-paths of history. His landing, his marches and countermarches, the faint gleams of success and the final catastrophe, together with the terrible vengeance that involved a few of the leaders and a crowd of the ignorant followers in one common destruction, have not yet been fully told, though much has been brought to light since Mr. Roberts wrote his laborious but uninspired *Life of Monmouth*[1]. Several documents relating to the ''85,'

[1] The Museum in the Castle at Taunton, the actual scene of the most terrible episodes of Jeffreys' 'campaign,' contains the letters of 'the proud Duke of Somerset' relating to the ransom of the Maids of Taunton, together with very many of the 'relics' of the rising which are mentioned in Macaulay's *History*.

preserved in the Bodleian Library, have been printed in the *Academy* from time to time by the present editor [1].

No attempt has been made in the notes to do more than to identify the chief persons mentioned. Some are still sufficiently obscure; but in most cases the rapid progress and approaching completion of the *Dictionary of National Biography* has rendered the work of the amateur biographer superfluous. I have, however, sought, in a note on Letter XIII, to trace the career of Captain Edward Matthews, whose part in the campaign has been all but ignored, and who afterwards became a cavalry officer of great distinction. He, like his fellow-rebel Dr. William Oliver—who is alleged to have travelled to London, after the rebellion and its sequel, in the train of Lord Chancellor Jeffreys himself [2]—returned to England in 1688 with William of Orange.

A few words must be added with regard to the facsimiles that accompany these Letters. The portrait described by Lord Derby, which is now inserted in its oak frame in the cover of the MS. volume, has been reproduced as forming part of his gift; but it is difficult to believe that it represents the Duke of Monmouth. On the back is written 'Duke of Monmouth by Foster.' On the spectator's right of the portrait is the artist's signature, 'Forster Delin. 98 [?].' It is a pencil drawing on vellum by Thomas Forster (*fl.* 1695–1712), whose portraits are highly esteemed, and who finds brief mention in the *Dictionary of National Biography* (xxi. 21). I am greatly indebted to Sir Seymour Haden for the following remarks on Forster's drawing, which he has most kindly permitted me to publish, and for the interesting sketch which is here reproduced.

> 'The portrait is of the time of Queen Anne; and may be that of the Treasurer Godolphin, or possibly of his son, who married the daughter of Marlborough . . . .

[1] The 'Christmas books' for 1895 include three tales of which Monmouth is the hero—*In Taunton Town* by Everett E. Green; *After Sedgemoor* by Edgar Pickering; and *The Secret Cave* by Emilie Searchfield.

[2] Monk's *Roll of the Royal College of Physicians*, i. 493.

Monmouth, who was much younger, and wore his own hair, was not in the least like this portrait, as you will see by the sketch I send you[1], which is that of an unmistakeable Stuart, and is a fair representation of the picture at Woodcote. At the back of the picture, also, in Georgian writing, are these words :—

'"From Miss Wray[2] and to her from her father Sir William Ullithorne Wray—the son of Sir Cecil Wray of Lincolnshire—in whose possession it was originally

Monmouth"'

[No date]

'It is supposed, however, that it was painted for Lady Henrietta Wentworth, who was Monmouth's mistress at the time of his death, and about the only friend he had.'

The almost contemporary sketch of Sedgemoor inserted at the end of the Letters is probably from the pen of the Rev. A. Paschall, Rector of Chedzoy on Sedgemoor from 1662, who naturally possessed unique opportunities of acquainting himself with the details of Monmouth's defeat. His account of some particulars of the fight has been printed by the Historical MSS. Commission (IX. iii. 5 sq.), together with a note of two plans of the battlefield which he drew up within a few months of the action. Paschall left a record of certain supernatural occurrences, which he considered, after the event, to be forerunners of the troubles of 1685 (Roberts, *Duke of Monmouth*, i. 217). In his letter, as in this sketch, he attributed special importance to the pistol-shot fired at the Langmore Stone by—as some suggested—Captain Hucker ; the name of the traitor, if traitor there were, is not mentioned in the plan. The original MS. has been mounted ; but, when held up to the light, it is seen to bear the endorsement in Dr. Arthur

[1] This sketch is after a beautiful oil-painting of the decollated head of Monmouth, in the possession of Sir Seymour Haden, which was shown at the Winter Exhibition of Old Masters at the Royal Academy, 1892.

[2] For the pedigree of Wray of Glentworth, see Dalton's *History of the Wrays of Glentworth*, Part III, *ad init.*

DECOLLATED HEAD OF MONMOUTH

From an Oil-Painting in the Possession of SIR F. SEYMOUR HADEN

Charlett's unmistakeable handwriting, 'Monmouth March at Sedgmor 1686.' The next folio in the same volume of the Ballard Letters contains a MS. copy of 'King James 2d Declaration for ye Ease of his Catholick Subjects,' which no one who has acquainted himself with Charlett's scholarly if somewhat pedantic hand could attribute to any other writer.

C. E. DOBLE.

OXFORD: *December*, 1895.

fol. 2. KNOWSLEY, *Oct.* 17, 1854.

MY DEAR SIR,

In looking over some old Papers here the other day, I found (how they came here I know not) some original and apparently autograph letters which appeared to me to be curious. They are private letters addressed by Lord Clarendon to the Earl of Abingdon as Lord Lieutenant of Oxfordshire, during, and on the suppression of the Duke of Monmouth's Rebellion. I have no doubt of their genuineness; and if from the connexion of the University with the Writer as well as the locality you think they would be worth depositing in the Bodleian Library, I shall have great pleasure in offering them to the acceptance of the University for that purpose; and in that case would send with them a Miniature Pencil drawing of the Duke of Monmouth, which is not too large to be let into the cover of the Portfolio which should contain the letters, and for the authenticity of which latter I can so far vouch that it has been in this house since 1729 at least, since it appears in a Catalogue of the Pictures and Engravings here, which formed the Collection at that time.

I am
My dear Sir,
Yours sincerely,
DERBY.

The Revd.
The Vice Chancellor.

[Addressed]
The Revd.
The Vice Chancellor
Worcester College
Oxford.

DERBY.

I.

OXFORD, *May 21th*, 1683. fol. 8.

MY LORD,

I came hither this morning with their Royal Highnesses[1], and to morrow they will dine with your Lordship. I intended to have sent the Confectioner to you, but he tells me he has mett with some of the King's Confectioners who are come from London to wait upon your Lordship on this occasion; I have sent the Cookes which were with me, whom your Lordship may dismisse, if you have no occasion of them. I am very sorry I cannot wait on you to morrow, but I am obliged to be at London to morrow before noon, but wherever I am, and at all times, I shall be with great respect

My dear Lord
Your Lordship's
Most obedient humble Servant
CLARENDON.

My very good neighbour Mr. Mayott[2] will be with you this evening, who will give all necessary informations.

For the Right Honorable
the Earle of Abingdon.
At Rycott.

[1] The Duke and Duchess of York. There is a full account of this visit in Wood's *Life and Times*, ed. Clark, ii. 46 sqq. On May 22, 'At 10 in the morning they left Oxon, went to Rycot to dine with the lord Norrys earl of Abendon (who entertained them and their retinew, all countrie gentlemen and scholars that came, with a most noble and splendid diner).—And thence to Windsore, from whence they came.'

[2] Robert Mayott, of Fawler, Esquire, was High Sheriff of Oxfordshire in 1681. 'He had the duty of conveying in his coach from Henley to Oxford that State prisoner Stephen Colledge [the Protestant joiner] for his trial for treason on August 17, and superintending his hanging and quartering in the gaol' (Davenport, *Oxfordshire Lords Lieutenant, &c.*, 1888, p. 74). He was a neighbour and intimate friend of Clarendon at Cornbury, and is frequently referred to in Clarendon's *Diary*, ed. Singer (ii. 308, and see Index). In 1690 Mrs. Mayott gave Clarendon 'a little cordial water, and some Venice treacle,' which he took. Next day he found himself 'much better for the treacle.' Roger Brent, Lord of the Manor of Thrupp, married Frances, daughter of Robert Mayott, Esq. (Mrs. Stapleton's *Three Oxfordshire Parishes*, p. 123). For another Robert Mayott see Wood's *Life and Times*, iii. 36, and Roger North's *Examen*, 557.

II.

fol. 11. WHITEHALL *Febr.* 10*th* 168$\frac{4}{5}$.

MY DEAR LORD

I have received your Lordship's favour of the 8th instant, and have obey'd your commands in presenting your Lordship's duty to his Majesty in as good termes as I could; and I can assure your Lordship the King is very well inform'd of those who served his late Majesty[1] as they ought to doe, and is particularly acquainted with your Lordship's meritt, and the constant fidelity of your family to the Crown; his Majesty intends to be served in Oxfordshire by no body but your Lordship, being satisfyed that none can doe it better; the King's Proclamation upon the death of the late King, is sufficient authority for your Lordship to act by, till you have a new Commission for Lieutenant of the County as you had before, and which you will
fol. 11b. have with all speed, the King having given order for the renewing | of it. Yesterday in Councell, the King declared that he resolved to have a Parliament meet in the beginning of May, which I find gives great satisfaction to all people here, and I hope your Lordship will be able to make such elections in your parts as you have a mind to; Every body is very well satisfyed and pleased with all things which his Majesty has hitherto done, and certainly it will be our own faults if we are not the most happy people in the world, which I hope the wisdome of the approching Parliament will procure to the Nation by their dutifull behaviour to the King when they meet. I shall give your Lordship no further trouble at present, but beseech you to beleeve that I am from the bottome of my heart

My Lord
Your Lordship's
Most faithfull and most
humble servant
CLARENDON.

[1] Charles the Second died on Friday, Feb. 6. In Clarke's *Life of James II*, the king states that 'he continued the generalitie of imployments throughout the three Kingdoms, in the same hands they were in at the late King's death: for there had been so great an union betwixt them, both in opinion and inclination, that it reconcil'd his present Majesty to any one his Brother had thought fit to trust.'

III.

WHITEHALL *Feb. 26th* 168$\frac{4}{5}$. fol. 14.

MY DEAR LORD

I had wayted on your Lordship before you left the Town, but that I verily beleeved you had gone away on Thursday morning, as you designed, and I knew nothing to the contrary, nor of your being ill, till I mett your Brother Mr. Bertie[1] on Friday night; on Satturday morning I endeavour'd to kisse your hands, as Mr. Mayott can testify, but your Lordship was not stirring, and before I came back to your lodging, you were gone. I have now received your Lordship's of the 23th instant, and am very glad to find by it that the elections in your countrey are (tho' with some difficulty) like to goe to your mind; for my Lord Falkland[2], he will fully answer your expectation, being, in truth, as worthy a man as any you can choose; I wish | you may be as fol. 14b. well satisfyed with Mr. Tipping, but I will hope well of him. The lettre which your Lordship sent me enclosed, and which was directed to the Mayor of Woodstock, shews the villany of some people, but I hope it will not be in the power of all their insinuations to doe any reall mischief: Many of those lettres have been thrown about the Town here. Here is nothing of news to tell your Lordship. The last lettres from Bruxelles say the Duke of Monmouth[3] is privately

[1] Captain Henry Bertie, at this time M.P. for the City of Oxford: died 1734.

[2] Anthony, fourth Viscount Falkland, Paymaster of the Forces; died 1694. Wood describes the election (*Life and Times*, iii. 136): 'March 18, W., election of Knights of the shire; Anthony viscount Falkland stood, Thomas Tipping of Ewelme, esquire, Thomas Beard of Fritwell a phanatick (son of alderman Beard of London), and Thomas Hoord of Cote [in the parish of Bampton] esq. March 19, Th., about 9 or ten in the morning they concluded polling and Falkland and Tipping carried it. Hoord had many voices but gave no entertainment, and because he would not pay for their night's lodging they went home and he lost it.' Hord stood for the Convention Parliament, and for that of 1690, but was at the bottom of the poll (ib. 145, 260, 296, 525). Peter Wentworth, brother of Lord Strafford, married his daughter Juliana (*Wentworth Papers*, ed. Cartwright, 3). A later Thomas Horde of Cote, Esquire, was High Sheriff in 1746 and 1753. Tipping was outlawed under James II, being excepted from the General Pardon of 1688 (*Autob. of Sir J. Bramston*, 318); and had his outlawry reversed under William III (Luttrell, i. 527). He was created a baronet in 1698, and in the same year was 'married to the only daughter of the late collonel Cheek, formerly lieutenant of the Tower' (ib. iv. 344, 356).

[3] For the duke's position and plans at this time, see Roberts' *Life of Monmouth*, i. 184 sqq., and especially Ralph's *History of England*, i. 853. Ralph states that

there, for he does not find encouragement to appear in publique, and that he 's preparing to goe into Germany to engage in the warr against the Turks. I doe most heartily wish your Lordship the perfect recovery of your health, and that you may have all your desires in
fol. 15. this world; and I beseech you to beleeve that | I am with great respect and esteeme.

My dear Lord
Your Lordship's
Most faithfull and most humble
Servant
CLARENDON. C. P. S.

For the Right Honorable
The Earl of Abingdon
at Rycott.
To be left at the Post House
In Oxford.

IV.

fol. 17. WHITEHALL *June 20th* 1685.

MY DEAR LORD

I could not sooner dispatch your Lordship's Servant, by reason that your Commissions were not done, there being soe much busines in all offices, that 'tis not to be wonder'd at, if things are a little longer in doing then usuall; I hope those Commissions will goe herewith, for your Servant is attending at the Secretary's office for them, and I have sent one with him, he being a stranger; The Commissions are for two Volunteer Companyes to be raysed in Oxford, with blanks for your Lordship to fill up as you de[si]red; arms for them will be ready for them at Windsor, of which you shall have a further account in the beginning of the week. I thinke the King told your Lordship he designed a Troop of Horse for your Brother Henry, whose Com-
fol. 17b. mission I hope will | goe by this Messenger; his Majesty likewise will

the Prince of Orange had persuaded him to go into the Emperor's service; and Echard that he proposed to spend the summer in the Court of Sweden. There is a curious account of Monmouth at Brussels in a broadside in the Bodleian Library (Ashm. F. 5. i. 114) entitled *A True Coppy of a Letter Written by a Gentleman in Brussels, . . . giving . . a Brief Account of the State of those Provinces, in Relation to the War. As also some Remarkable Passages Relating to his Grace James Duke of Monmouth Since his Arrival in those Parts.* It is dated Brussels, August the 10th, S. N., 1684.

send a Commission to your Brother Richard[1] to raise a Troop of Horse, but that was resolved on but this day, and soe cannot be ready to goe now, but I will take care to send it to your Lordship, he being, as I am told, now with your Lordship. Herewith goes the King's lettre to your Lordship with orders to take up all such persons as you shall suspect[2], and to putt them into the prison at Oxford, and some other orders which were directed yesterday. All the news I can tell your Lordship out of the West, is that the Duke of Albermarle[3] and my Lord Churchill[3] were both joyned at Axmister on Thursday last, and resolved to march in pursuit of the Rebells as yesterday. Monmouth was at Ilmister[4] on Thursday, and went thence that day for Taunton, his strength was not above 4000 foot, and 500 horse, most | rabble, and halfe of them unarmed. The Militia of Sommersett- fol. 18.
shire[5] begin to take heart again; my Lord Churchill has with him, besides 1500 foot of the Dorsettshire Militia, four Troops of my Lord

[1] Lord Abingdon's half-brothers are mentioned in *Correspondence of the Earl of Clarendon*—Richard, i. 134 sq., 139, and Charles, i. 140. They were sons, by his first wife, of Montagu Bertie, second Earl of Lindsey, father (by his second wife) of Lord Abingdon and Henry Bertie. Richard died unmarried in 1685, and Charles (of Uffington, co. Lincoln) died *s. p.* in 1716.

[2] Lord Abingdon writes to Clarendon; Oxford, June 21, 1685: 'I am now sending out warrants to seize Hord, Blake, and Bard, and will take up also what lesser men I can find out, there being not one Nonconformist minister that I know of in the county, and very few old officers.' For these arrests cf. Wood, *Life and Times*, iii. 145. Philip Henry was committed a close prisoner to Chester Castle at this time 'with some Gentlemen and Ministers that were fetch'd there out of Lancashire'; and he and many others doubtless considered the brief confinement their 'Security in a dangerous time' (*Diaries and Letters of P. H.*, 1882, 325 sq.).

[3] Christopher, second Duke of Albemarle, died in Jamaica, 1688; see *D. N. B.* xxxviii. 146. Churchill had received an English peerage on May 14, and was appointed Major-General on July 3 of 1685. His part during the rebellion has been related once for all by Lord Wolseley in the *Life*. Lord Wolseley writes (i. 299): 'The study of this campaign makes it evident that Churchill was the only officer on either side who displayed activity, vigilance, or any knowledge of war.'

[4] For this portion of the expedition, see Roberts' *Duke of Monmouth*, i. 299 sq. One of the best original accounts of the rebellion from the Royalist side is that printed in Hist. MSS. Comm. Report IX. iii. 2 sqq.

[5] The militia of Somerset had executed a very swift strategic movement to the rear. The Axminster Book of the Independent Chapel (quoted by Roberts, i. 289) records: 'The Lord sent a hornet of fear amongst them, so that a dreadful consternation of spirit seized on them, that in some places they fell one upon another, in other places some ran away with amazement. Some were so stricken with terror that they were even bereft of their reason, and like distracted persons; others threw away their weapons of war and would take them up no more; and many watched opportunities to leave their colours and old officers, and came and

of Oxford's[1] Regiment, two Troops of Dragoons, and nine Companys of Foot of the standing forces; and this morning are march'd towards the West three Battalions of the foot guards, under the Duke of Grafton[2], and a hundred and fifty of the horse guards, under my Lord Feversham[3]. Your Lordshipp shall not fail of a constant account of all that passes, and of all other service that can be pay'd you, by

My Lord
Your Lordships
Most faithfull and most
humble Servant
CLARENDON. C. P. S.

V.

fol. 20. WHITEHALL *June 22th* 1685.

MY DEAR LORD

I should be out of countenance to have written your Lordship such a lettre as I did on Satturday, if I could have help't it, but there was really soe much busines at the Secretary's office, that was to be dispatched that night, that those which concern'd your Lordship and your two Brothers could not be dispatch'd, and those for the Volunteers were not done as they ought to be, which made me take them from your Servant, and it was soe late, that I had not time to alter my lettre to your Lordship; but he carryed you all the necessary orders con-

joined with this new company.' Among the last class was John Coad, whose *Memorandum of the Wonderful Providences of God* (Longmans, 1849) is perhaps the most graphic account extant of one of the sufferers in Monmouth's rebellion.

[1] Aubrey de Vere, last earl of the first creation; d. 1702.

[2] Henry Fitzroy, first Duke of Grafton, mortally wounded at the assault of Cork, 1690 (see *D. N. B.* xix. 205 sq.; Wolseley's *Marlborough*, ii. 196 sq., 201). His duchess, daughter of the Earl of Arlington, was re-married to Sir Thomas Hanmer. Swift (*Journal to Stella*, Nov. 22, 1711) records: 'I dined to-day with Sir Thomas Hanmer; his wife, the Duchess of Grafton, dined with us: she wears a great high head-dress, such as was in fashion fifteen years ago, and looks like a mad woman in it, yet she has great remains of beauty.'

[3] For Louis Duras Earl of Feversham, see *D. N. B.* xvi. 247 sqq. He was a nephew of Turenne, Marlborough's master in the art of war.

cerning your Militia and your selfe, soe that now you know fully what you have to doe, and if there be anything you desire further directions in, upon the least notice from your Lordship, you shall have immediate satisfaction therein; I have been forced to keep your Servant who arrived here yesterday morning with your Lordship's of 20th instant, till this | morning, that he might carry everything with him, which could fol. 20b. not be ready before, and now, your Lordship will receive by him, according to the desire of the University, blanke Commissions for two Volunteer Troops of Horse, and for six Volunteer Companyes of foot, which the Bishopp of Oxford sayd in his lettre[1] the University would be willing to rayse; the Commissions are from the King, because of their priviledges, but they are to be given to such persons as your Lordship shall approve of, and they are to be commanded by your Lordship. You will likewise now receive two Commissions for your two Brothers, for each of them to rayse a Troop of Horse, when they have chosen their officers, if your Lordship please to send up their names, Commissions shall be sent for them. As for news, I will not fayle writing to your Lordship by every post, which is every night, that you may know all that we know here. For what came yesterday by expresse from Scotland, it is fully related in the Gazett, that I cannot add to it. | This morning an other expresse is arrived, with an fol. 21. account of an engagement between the King's army and Argile[2],

[1] The bishop's letter of June 20 is printed in *Clarendon Correspondence*, i. 132 sq. He wrote to the Earl of Clarendon: 'I offered that my Lord Noreyes, who is a student in this place, might be commissioned, with such others of our body as my Lord Abingdon should approve; for this would be most acceptable to the University, and avoid the jealousy which otherwise would be occasioned, if the Lord Lieutenant, by his ordinary power, should put the University in arms, from which they are exempt by their charters: and accordingly, in the time of the late rebellion, the University had their commissions immediately from the King.' He accordingly suggests that blank commissions should be sent down to the Lord Lieutenant's hands. Lord Abingdon writes to Clarendon on the same day: 'The Vice-Chancellor and Bishop have been with me, and propose to raise two troops of horse, and six companies of foot; only they desire they may be under my son's command, by an especial commission from the King, to distinguish them from the militia, being jealous of I know not what punctilio of privilege, which I am afraid may spoil the whole design.' Some very important letters of Bp. Fell on this subject are printed in *Hatton Correspondence* (Camden Soc.), ii. 55 sqq.

[2] For the reception in Oxford of the news of Argyle's defeat and capture, see *Clarendon Corresp.* i. 136 sq.; 'the people . . . were in hopes that news had been come of the defeat of Monmouth.' Abingdon had written on June 20: 'I cannot but observe to your Lordship, how ill it looks that his Majesty's enemies can give such exact accounts of the rebels, when we, who are his servants, can speak nothing certain. I therefore desire, if your Lordship thinks fit, that you will be pleased to send me some account thereof that I may show about.'

the particulars whereof I have not time to relate, but in one word noe losse on the King's side, the Rebells fled, and Argile himselfe was taken, and when the lettres came away was in very safe custody in Glascow. As for news out of the West, your Lordship will see what the Gazett sayes, which is all we knew the last night; this morning the lettres which are come from Lord Churchill bring nothing, there having been no late action; but that Monmouth was certainly at Taunton on Friday in the evening. Armes for the Volunteers which you rayse at Oxford, are ready at Windsor, of which you shall have a further account by my next, which shall be written by this night's post. I am with very great respect

My Lord
Your Lordship's
Most faithfull humble Servant
CLARENDON. C. P. S.

VI.

fol. 23. WHITEHALL, *June 23th* 1685.

MY DEAR LORD

Since my last we have not had much news; the Duke of Albermarle writes that the Rebells had left Taunton, and were gone to Bridgewater, and that from thence he beleeved they would march towards Bristoll[1], if that should be his designe, my Lord Churchill with his party, will follow him close, and my Lord Feversham (who arrived last night with the Horse at Chipenham, where mett him the Earl of Pembroke with the Militias of Wilts and Hampshire, and the foot guards will be there to-morrow) will give him some trouble; besides Bristoll it selfe is in a very good condition, the Duke of Beaufort[2] being there with 5000 very good men in the Town, such

[1] The design on Bristol is described in Roberts' *Life*, ii. 1 sqq., who quotes especially Wade's narrative and Oldmixon's *History*.

[2] Henry Somerset, third Marquis of Worcester, created Duke of Beaufort 1682; d. 1699. As Lord President of the Council in Wales, he had made in 1684 his official progress through the Principality, of which Thomas Dineley has given us a valuable record, reproduced in facsimile by Messrs. Blades in 1888.

as he can rely upon. The king has been told that your Brother Mr. Richard Bertie had a desire | to have Mr. W. Mildmay[1] for his fol. 23b. Lieutenant, and is very well pleased with it; I doubte not but he may nominate his Cornett too, and that your Brother Mr. H. Bertie may likewise nominate his officers, and therefore if your Lordship please that they may send up the names of those they desire, the King shall be moved for his approbation, which I dare say he will readily give.

When the Rebells left Lime, they left behind them forty barrells of powder, and backs, breasts and potts for five thousand men; which are taken into the King's stores[2]. I have nothing more worth troubling your Lordship with, but the assurance of my being

Your Lordship's Most faithfull humble Servant

CLARENDON. C. P. S.

For the Right Honorable
the Earle of Abingdon.
At Oxford.

VII.

WHITEHALL *June 24th* 1685. fol. 26.

MY LORD

I have received the favour of your Lordship's of the 23th and am glad you had the Commissions for the Volunteers, and that they were to your satisfaction; as for raysing a Company or two in the City, I beseech your Lordship to consider, whether as Lord Lieutenant you have not power sufficient to doe it; if you have not, upon the first notice from you, I will move the King in it. I could not immagine you still wanted the Commissions for your two Brothers,

[1] Mr. Walter Mildmay is mentioned in Clarendon's *Diary*, 167 and 311. He was commissioned as Lieut. of Horse, June 18, 1685; of Peterborough's regiment, 1687; Major of Col. Holman's Regiment of Horse, Oct. 10, 1688 (D'Alton's *English Army Lists*, ii. 191, &c.).

[2] They were captured in the Pink and Dogger within the Cobb (cf. Wolseley's *Marlborough*, i. 273). The Duke's frigate had sa ed for Spain; a letter from Thomas Tye, surveyor of the Port of Lyme, describing his adventures on board, was printed for the first time in the *Academy*, March 23, 1895, 257 sq., from the Tanner MSS. by the present editor.

till I received your last lettre, for Mr. Bridgeman[1] assured me they should be deliver'd to the same person who tooke those for the Volunteers; but I will now see them given to him my selfe. The King is very well pleased that you have secured Tom Hord and his
fol. 26b. friend Bard[2]; I wish you could meet with | some of the Non-Conformists Parsons[3], who run about the Kingdome doing all the mischief they can. This afternoon an expresse is arrived from Scotland, with an account of the utter and entire destruction of those Rebells, and that amongst the many prisoners who are taken, the Rogue Rumball is one: Ayliffe was taken ripping up his owne belly, he's not dead, but 'tis thought he cannot live. Argile is in Edenburgh Castle, he complayns much of Monmouth's not comming into England soe soon

[1] William Bridgeman, grandson of John Bridgeman Bishop of Chester, and nephew of Sir Orlando Bridgeman, Lord Keeper, was a successful placeman. He was at this time Clerk of the Council, and afterward became Under-Secretary of State, and Secretary to the Admiralty (see Luttrell, passim). He died 'of a feavour,' May 10, 1699, and was succeeded as Clerk of the Council by Mr. Southwell (ib. iv. 515). References to him occur in *Secret Services of Charles II and James II*; and he appears to have had fifty convicts 'given' to him after the suppression of the Rebellion (Roberts, ii. 242). Cf. also *Original Letters of the Duke of Monmouth*, ed. Sir G. Duckett (Camden Miscellany viii); Macray, *Annals of the Bodleian Library* (ed. 2), 237, 462.

[2] For Hord and Beard, see p. 255 supra.

[3] In his letter of June 25, Abingdon assures Clarendon (*Corresp.* i. 136): 'I am endeavouring, as fast as I can, to pick up the worst men about the country; but cannot yet meet with one Nonconformist parson, having taken some pains heretofore to ferret them out.' The Nonconformist divines of other counties (e.g. John Hicks) were less fortunate. There is a broadside in the Bodleian Library, containing a manifesto issued at the General Quarter Sessions for Devon held at Exeter October 6, 1685, part of which may be quoted here. 'And, whereas it hath appear'd that Nonconformist Ministers, and Conventicle Preachers have been the Mischievous Factors that have for a long time propagated and upheld the Faction, and under pretences of Religion, have seduced the unwary People from their Allegiance and Duty, and that considerable numbers of them were actually in the late Rebellion (fit Chaplains indeed for such a Mushrom King, and fit Spiritual Guides for such lewd Rebels). We resolve to Issue out Warrants from this Court for the Apprehending of all Non-conformist Preachers, that we shall be informed by the Presentment of the head Constables or the Grand Jury, or by our own Knowledge have been seen at any time within the space of three years within this County, as Inhabitants, Sojourners, or Strangers. And whereas we have formerly ordered Forty Shillings as a Reward to any that should Apprehend or secure them, we resolve now, as a farther Encouragement, to give to any Person that shall apprehend or secure any one of them the Sum of Three Pounds. . . . I do Order and Require all the Clergy of my Diocess in the County of Devon, deliberately to Publish this Order the next Sunday after it shall be tender'd to them.—THO. EXON. ⟨Lamplugh⟩. Licensed, October 15, 1685. R. L'Estrange.'

as he promised[1]. Lettres from my Lord Churchill of the 22th at night from Langport, say that Monmouth was then at Glastenbury, and that he Lord Churchill, intended the next day to endeavour to attack him. Lord Feversham is now at Bristoll, where all the Foot will likewise be to morrow, soe that he will have a very good body both of Horse and Foote, either to joyn Lord Churchill, or to meet the | Rebells, as he thinks best. The Duke of Beaufort has putt fol. 27.
Bristoll into a very good condition; soe that that place is safe, tho' the Rebells should attempt the attacking it. I am with very great respect

My dear Lord
Your Lordship's
Most faithfull humble Servant
CLARENDON. C. P. S.

For the Right Honorable
the Earle of Abingdon.
At Oxford.

VIII.

WHITEHALL *June 25th* 1685. fol. 29.
10 at night.

MY DEAR LORD

I write this purely to performe my promise to your Lordship, for I have nothing to entertain you with, worth giving you the trouble of a lettre; The last news we had from the West tells us that Monmouth was last night at Pensford, which is with in six miles of Bristoll, which is very well provided to receive him, and my Lord Feversham was there this morning; the rest of the King's forces are very neer, and ready to fall into his reare, soe that by the blessing of God, we shall have a very good account of them, and perhaps by to morrow morning; whenever any thing comes that is considerable, I will not fail to send it by an expresse to your Lordship. I will take the liberty to referr your Lordship to | the Gazette for the Scotch fol. 29b.

[1] The history of this expedition is told by Macaulay, i. 268 sqq. (crown 8vo. ed.). Argyle was executed June 30; Rumbold June 29; and Ayloffe, who did not succeed in his attempt at self-destruction, October 30 (*Dict. Nat. Biog.* ii. 284).

newes; it is soe particularly related there by order from the King, that nothing can be added to it.

I have nothing further to trouble your Lordship with at present, but the assurance of being

My Lord,
Your Lordship's Most faithfull humble
Servant
CLARENDON. C. P. S.

Disnie[1] was tryed this day for printing Monmouth's Declaracion, the evidence was very full, and he's condemned.

For the Right Honorable
the Earle of Abingdon.
At Oxford.

IX.

fol. 32.

WHITEHALL *June 26th* 1685.
10. at night.

MY DEAR LORD

The lettres we have this day received from the Duke of Beaufort, and from my Lord Feversham who is with him at Bristoll, and likewise from my Lord Churchill, who was then at Wells, are all dated on the 24th, and doe all agree that Monmouth was that night at Pensford, within five miles of Bristoll, which made them all beleeve that he has some designe upon that place[2], of which we shall have an account in all probability to morrow morning, if it be anything considerable your Lordship shall have an account of it, with all speed.

[1] William Disney was executed on Kennington Common June 29, and his quarters were fixed on the City gates (Roberts, i. 233; Luttrell, i. 348–350). The Declaration—'the masterpiece of Ferguson's genius,' as it is styled by Macaulay—is printed in full by Roberts, i. 235 sqq. An original copy is preserved in Bodley, Pamphlets 170, 1685. 3: a well-printed small quarto of eight pages.

[2] For the attempt on Bristol, see Roberts, ii. 8 sqq.; and for the somewhat exaggerated account of the skirmish at Keynsham, ii. 14 sq., Hist. MSS. Comm. V, 328. There is a life of Sir Theophilus Oglethorpe (d. 1702)—made a Brigadier-General after Sedgemoor—in the *Dict. Nat. Biog.* xlii. 50. His widow is familiar to all readers of the *Journal to Stella*. Swift wrote of her, December 12, 1711, when Oxford's ministry was in extreme peril, as 'so cunning a devil, that she could find a remedy, if they would take her advice.'

I have just now received your Lordship's favour of the 25th and have nothing further to trouble you with at present, but the assurance that I am

Your Lordship's
Most faithfull humble Servant
CLARENDON. C. P. S.

For the Right Honorable
The Earle of Abingdon.
At Oxford.

X.

WHITEHALL *June 27th* 1685. fol. 35.

MY DEAR LORD

I have just now received yours of the 26th and am very glad you are soe forward in raysing your Volunteers, but all things find a quick dispatch which are under your Lordship's conduct. I will know the King's pleasure to morrow concerning your raysing Volunteers in the City of Oxford, and will acquaint your Lordship with it by the next.

Lettres this morning from the Duke of Sommersett[1] dated the 25th say, that a party of the Rebells of two hundred horse, being at Cainsham upon the River Avon, with in four miles of Bristoll, Coll. Oglethorpe with a hundred of the horse guards, fell upon them, and kill'd eighty upon the place, and the rest fled; of our side, was only one man missing, and my Lord Newburgh[2] was

[1] Charles Seymour, 'the proud' Duke of Somerset, d. 1748. He played an important part, as a Trimmer, under Queen Anne; and he and his duchess (the victim of the *Windsor Prophecy*) figure often in Swift's caustic pages.

[2] Charles Livingston, second Earl of Newburgh, had but a brief and troubled career. He succeeded to the peerage in 1670. In 1681 he fought a duel with Lord Kinsale (the principals were 'two striplings under twenty,' Luttrell, i. 150); in 1691 he was 'scowring the streets, and committed some disorders,' with 'several' other 'persons of quality,' and shortly after, with 'some others, rambling in the night, fell upon the watch, and beat them severely' (ii. 234, 238). In 1692 proclamations were issued for his arrest with other prominent Jacobites (ib. 448); and later in the year he surrendered with Mr. Griffin (ib. 477); married Lady Frances Brudenell (ib. 565); in 1693 his brother killed Mr. Charles Howard in a duel (iii. 208). He died April 6, 1694 (ib. 291). For the action of June 25 see Roberts, ii. 13 sqq.

shott dangerously in the belly; here is a report in Town, that
fol. 35b. Monmouth with his whole army | was after this engagement marching towards Cainsham, and that Lord Churchill fell upon his reare, and destroyed many of them; but this last I only tell your Lordship as report, for the King has yett no account of it: When we know more, your Lordship shall be sure to have it.

This afternoon the King came to the Parliament, and pass'd all the Bills which were ready[1]; but I beleeve we shall not adjourne till towards the end of the next weeke.

I am with very great respect and esteeme

My Lord

Your Lordship's most faithfull humble Servant

CLARENDON. C. P. S.

For the Right Honorable
The Earle of Abingdon.
Att Oxford.

fol. 40.

XI.

WHITEHALL *June 28th* 1685.

MY DEAR LORD

I can add little to what I writt to you the last night, there having been no engagement in the West since that of Coll. Oglethorpe; lettres which were writt from Bathe yesterday morning, say that all the King's forces, viz: my Lord Feversham, my Lord Churchill, and the Foote under the Duke of Grafton, were all joyn'd together, at Bathe, and were yesterday morning to march in pursuite of the Rebells, who, meeting with soe ill entertainment at Cansham, were retired quite back again to Froome; being now all joyn'd, we may expect every day to hear of some action, which as soon as we have any account of, your Lordship shall know it. My Lord of Pembroke[2],

[1] The titles of these Bills are given in Echard, iii. 761, the last being 'An Act *for rebuilding, finishing, and adorning the Cathedral Church of St.* Paul, *London.*'

[2] Thomas Earl of Pembroke is now best remembered by the antiquities which he brought together at Wilton, and by Swift's intimacy with him when the earl was Lord Lieutenant of Ireland; for their puns and their 'Castilian language,' see Craik's *Life of Swift*, 141 sqq. James was anxious that Pembroke should be appointed commander of the British troops in the Dutch service in 1685, on the ground that 'he has really served me eminently well in this last affair, against the Duke of Monmouth' (Dalrymple, iii. 136 sqq.). His report on the beginnings of the rebellion at Frome is quoted by Roberts, ii. 23 sq.

with the Militia of Wilts, is at Troubridge, his men keep in very good order: I hope my next will give your Lordship a good account of the Rebells. I am,

My Lord,
Your Lordship's most faithfull
humble Servant
CLARENDON. C. P. S.

For the Right Honorable
the Earle of Abingdon.
At Oxford.

XII.

WHITEHALL *June 29th* 1685. fol. 41.

MY DEAR LORD,

We have this day received lettres from the West, with this account, that on Satturday morning, the King's army march'd from Bathe in pursuit of the Rebells, whom a party of our army, under the command of the Duke of Grafton, overtooke at a place call'd Philips Norton[1]; our men marching into the lane, (the hedges being lined on both sides by the Rebells,) were something gall'd by the shott, but our horse came to the relief of the foote, and soe after some dispute, the Rebells march'd off towards Froom, and our party retreated to the body of our army, which was at Bradford; on our side were eight men kill'd, and twenty wounded, but noe officer neither kill'd nor hurt: On the Rebells side many were kill'd (but the certain numbers not knowne as yett) and amongst them (as is confidently written) Captain Mathews[1], sonne-in-law to Sir Thomas

[1] There is a full account of Philip's Norton fight, the issue of which was scarcely so favourable to the King's troops as is here represented, in Roberts, ii. 18 sqq.; Macaulay, i. 292 sq. James II wrote (Dalrymple, iii. 132): 'Mathews that commanded the rebels' horse [was] killed by Lieutenant Vaughan;' and in *Account of the most Remarkable Fights and Skirmishes between his Majesties Forces and the Rebels in the West* (Ashm. 739. 30) it is stated (p. 3) that 'the Rebels lost Captain *Mathews* who commanded that party, and divers others of lesser note.' The report was false. Edward Matthews had married Jane, daughter of Sir Thomas Armstrong (*D. N. B.* ii. 101). He discouraged Monmouth from the expedition, but joined him after his landing with assurances of aid from Hampshire (Roberts, i. 196 sq., 265, ii. 17); having absented himself with Wildman, Speke, and Trenchard (Luttrell, June 4, 1685; see also Hist. MSS. Comm. XII, App. Part vi, 395 sq.).

Armstrong, and who was one of the most considerable men Monmouth had about him. Lord Feversham intended to rest yesterday, to refresh both his men and horses, and as this day to draw neer the
fol. 41b. Rebells again, who seem'd to fix at Froom. This is all the | account we have at present. I am now to acknowledge the favour of your Lordship's of the 28th, and am very sorry you find soe much difficulty in raysing your Brother's troop: Indeed I thought the Commissions for his Lieutenant and Cornett had been sent to you before this,

After Lord Grey's misconduct at Bridport, to Monmouth's inquiry 'what should be done with him,' Matthews replied that 'there was not a General in Europe that would have asked such a question but himself' (Roberts, i. 278). On the eve of Sedgemoor he urged Monmouth to divide his cavalry, with the object of saving a portion from Grey's incompetent leadership. In the battle he commanded the Duke's left wing (Roberts, ii. 60, 72, 82), and managed to escape from the field. Evelyn (*Diary*, July 8, 1685) states that 'the Archboutefeu Ferguson, Matthews, &c., were not yet found.' Edward Matthews, of Lincoln's Inn, Esq., was excepted from the General Pardon of 1685 (Roberts, ii. 259), and from that of 1688 (*Autob. of Sir J. Bramston*, Camden Soc., 318). If Mr. Roberts is right in identifying him with the 'Mathieu' of Barillon, he must have been captured not long after Sedgemoor, as James II read to the French ambassador, about Sept. 10, 1685, 'from the originals, the deposition of Mathieu, the attendant of Monmouth, as to what this person knew of the designs of the French Protestants' (Roberts, i. 187). Matthews received in 1690 a grant of £100 from William III, out of secret service money (Rawl. MSS. A. 306, 184). On Dec. 24, 1691, the royal assent was given to 'an Act for settling a jointure on Jane, the wife of Colonel Edward Mat[t]hews, daughter of Sir Thomas Armstrong, deceased' (Hist. MSS. Comm. XIII, App. v. 273). In August, 1690, his regiment of dragoons arrived at Hoylake from Ireland (Luttrell, ii. 87); and shortly after he went with Marlborough and Colchester to Portsmouth, for the attempt on the French coast (ib. 95). He was sent to Ireland in October (ib. 119, 123); and July, 1692, his dragoons were in garrison at Portsmouth (ib. 520). He was now colonel in the Royal Regiment of Dragoons (H. M. C. XIV, App. vi. 188). June 21 he was president of a Court Martial at the Horse Guards (Luttrell, iii. 122). He was expected to be a candidate for Wigan (ib. 243), *vice* Sir Richard Standish, Bart., deceased; but John Byrom, Esq., was returned, Jan. 24, 1694. In March, 1694, his regiment embarked for Flanders (ib. 285 sq.); and in July of the same year he was made Brigadier-General (ib. 345). Two or three years after the Battle of the Boyne, at the Duke of Leinster's table, the courage of James II was affirmed by his enemies, 'and this was supported by Brig: Edward Matthews, a late creature of the Duke of Monmouth'; who later on repeated his assurance, 'and cited the late Duke of Monmouth, his patron, for his author, and who had assured him that there was not a man of more valour to his knowledge, as having been eyewitness' (*Memoirs of Thomas, second Earl of Aylesbury*, 267, 343). On Aylesbury's return from his secret mission to France, May, 1693, Brigadier Edward Matthews' Royal Regiment of Dragoons had lately been quartered on the Kentish coast, and the earl was nearly taken (339). Matthews died May 28, 1697 (Luttrell, iv. 230; three officers of the same surname are confused in the Index). He has not found a place in the *Dictionary of National Biography*. [See PS., p. 278 *infra*.]

but since they are not, I will take care they shall be sent to you to morrow: as shall likewise be the Commissions for the inferior officers of the Volunteers for the University: and for which there ought to be no fees pay'd, of which I will give you an account to morrow when I send you the Commissions. I have no more to trouble your Lordship with at present, but the assurance of my being, with great respect,

My Lord,
Your Lordship's
Most faithfull and most
humble Servant
CLARENDON. C. P. S.

For the Right Honorable
The Earle of Abingdon
At Oxford.

For his Majesty's
speciall service.

XIII.

WHITEHALL, *June 30th* 1685. fol. 44.

MY DEAR LORD

I have received your Lordship's of the 29th but have nothing new to tell you, there being noe lettres come from the West since yesterday morning, of which your Lordship had an account in my last. I have acquainted the King with what your Lordship desired, and his Majesty commands me to tell you, that if a Habeas Corpus should come for Mr. Hord and Bard[1], it must be obeyed, but his Majesty hopes care will be taken they may be brought up safe. As for the Commissions of the inferior officers of the Volunteers, they are

[1] Lord Abingdon had written on June 29 (*Clarendon Corresp.* i. 140): 'I told your Lordship Messrs. Hord and Bard had sent for Habeas Corpus, which I hear is now coming; and I desire your Lordship will know his Majesty's pleasure what the gaoler shall do therein. I have sent your Lordship a list of prisoners that were brought in yesterday from Northampton, which have filled our gaol very full; and yet I have more to send for out of this county, as fast as I can get horse to fetch them in, my own being harassed with constant duty.' The commissions for the 'inferior officers' are mentioned ib. 139 sq.

not yett ready, but I am promised them to morrow with out fail, and then they shall be sent to you. Rumbold was executed in Scotland
fol. 44b. on Thursday last; he dyed very stubbornly, | without the least repentance, and owning his Republican principles. Argile was to be beheaded this day, an account of whose death we shall have by the next flying Packett; I am with great respect,

My Lord,

Your Lordship's most faithfull humble Servant

CLARENDON. C. P. S.

For the Right Honorable
The Earle of Abingdon.
At Oxford.

For his Majesty's
speciall service.

XIV.

fol. 47. WHITEHALL *July 2nd* 1685.

MY DEAR LORD

I have now upon my hands both your Lordships of the 30th past, and of the 1st instant, and am to begg your Lordship's pardon for omitting writing by the last night's post, but the truth is, it was very late before I gott home, and was very weary; and besides I had nothing new to tell you; for we had nothing from the West neither yesterday nor to day, only this evening we had an account that the Rebells have made an other turne, and came to Wells again on Tuesday in the forenoon; and the King's forces were then at Froom. I am out of countenance that you have not yett the Commissions for the officers of the Volunteers Troops, I am promised them positively to morrow, the reason of the delay has been only the multitude of busines in the offices, and Mr. Bridgeman having been sick these two dayes, but to morrow I shall certainly send them to you: I am very sorry to find by your Lordship's that the Bishopp[1] is soe ill, I hope

[1] Bishop Fell's health was rapidly failing. Prideaux wrote to Ellis a week later (*Letters*, Camden Soc., 143): 'Our good Bp. is faln very ill, and I fear will not long last. We begin already to be sollicitous who may be his successor.' The same solicitude probably shortened the bishop's life; but he survived until July 10, 1686.

he will quickly recover. | My Lord Dartmouth has given orders to fol. 47b.
your Brother Charles to send your Lordship halfe a tun of match, and a proportion of powder and bullets. Captain Cannon[1], an officer in the King's army is just now arrived, he left my Lord Feversham at Froom at five last night; he sayes the Rebells plunder'd Wells yesterday[2], and that then they removed to Glassenbury; he sayes they are very poor, have noe money, and pay for nothing, and that their numbers decrease dayly; they keep in the close countrey, and will not come in a possibility of fighting; I have no more to add at present, but that I am

My Lord
Your Lordship's
Most faithfull humble Servant
CLARENDON. C. P. S.

For the Right Honorable
the Earle of Abingdon.
At Oxford.

For his Majesty's
speciall service.

XV.

WHITEHALL *July* 3*d* 1685. fol. 50.

MY DEAR LORD

I have received your Lordship's of the 2nd instant, for which I am to return you my thanks. We have had nothing this day from

[1] Cannon was sent immediately after Monmouth's landing to assist the Duke of Somerset (Roberts, i. 310). James II writes, Aug. 10, 1685: 'for a regiment, as I keep Canon here, he, lord Pembroke, may have it' (Dalrymple, iii. 137). Cannon afterwards served under Dundee, whom he succeeded in the command after Dundee's death at Killiecrankie; but he was defeated at Dunkeld and at Cromdale (see Macaulay, ii. 55, &c.; Burton's *Scotland*, 1689–1748, i. 139, &c.). The latter action will be familiar to readers of *The Memoirs of Captain Carleton*, where Cannon is mentioned; but the book is altogether unhistorical. Particulars of Alexander Cannon (or more properly Cannan)'s career will be found in D'Alton's *English Army Lists*, esp. vol. ii. 230.

[2] There is a full account of the proceedings of Monmouth's followers at Wells in Plumptre's *Life of Ken*, i. 213 sqq. James II wrote to the Prince of Orange that 'the rebels had sufficiently plundered Wells, church and all.' Cf. Hist. MSS. Comm. X (Wells) 264; Roberts, ii. 36 sq. Monmouth's resources had now failed (Roberts, ii. 35).

the West, nor have we had any thing from thence since the news of the Rebells having plunder'd Wells. I am very glad your Lordship is soe well pleased with your Volunteer Militia, but there is no doubte, whatever your Lordship undertakes will be better performed, then what is done by any one else. It is better to end here, then to trouble you with a long lettre when I can tell you noe news; I am ever

My Lord
Your Lordship's most faithfull
humble Servant
CLARENDON. C. P. S.

For the Right Honorable
the Earle of Abingdon.
At Oxford.

For his Majesty's
service.

XVI.

fol. 53. WHITEHALL *July 4th* 1685.

MY DEAR LORD

The news we have heard since my last is very little; only a Gentleman who came to Town late last night, sayes that on Thursday the Rebells march'd towards Bridgewater, and that my Lord Feversham with the King's army march'd the same day from Frome towards Wells, and that he intended to gett up to the Rebells, and encamp within a mile of him, which will make them keep close, and not ramble soe much abroad[1]: the same person sayes positively the Rebells are not above 5000, and many of those ill armed, and ill mounted. I am ashamed your Lordship has not yett received the Commissions for the inferior officers of your Volunteers, but I know not how to help it; nor can I lay the fault any where, but purely on

[1] Bishop Fell had written on June 28 (*Hatton Corresp.* ii. 57): 'It will be high time that somewhat be attemted upon the rebells by the King's forces, for it is an unaccountable thing that they should be sufferd to ramble up and down for several weeks without any notice taken of them, or so much as a single troop falling upon their rear. Whatever bystanders think of it, neighbor princes will imagin that we ar a very easy prey to an invading army, who cannot make head, in three weeks time, to a desperate man who landed with only an hundred and fifty with him.' Cf. *Memoirs of Sir J. Reresby*, 338 (ed. Cartwright); Reresby's brother was a captain in the Duke of Grafton's Regiment of Guards.

the great | glutt of busines; I call every day at the Office my selfe, fol. 53b.
besides sending thither, and I am certainly promised them on Munday. The three Scotch Regiments[1] which came out of Holland, are this day march'd to Branford, on their way towards the King's army in the West, they are excellent men, and well disciplin'd. I have nothing more worth troubling your Lordship with, but the assurance of my being with great respect

My Lord
Your Lordship's most faithfull
humble Servant
CLARENDON. C.P.S.

For the Right Honorable
The Earle of Abingdon.
At Oxford.

For his Majesty's
service.

XVII.

WHITEHALL *July 7th* 1685. fol. 56.

MY DEAR LORD

I am in soe great a hurry at this time, that I cannot answer your Lordship's lettres; but I must not omitt telling you, that yesterday morning the Rebells with their whole army fell upon our army, who were encamped with in three miles of Bridgewater[2], and after

[1] James wrote of them to the Prince of Orange on July 3 (Dalrymple, iii. 132): 'There cannot be, I am sure, better men than they are, and they do truly look like old regiments, and one cannot be better pleased with them than I am, and must again thank you for them. They quarter this night in Southwark, and are to march to morrow for Houndslow.' But James had no real confidence in them. 'The King found he could not even trust his own Subjects that came from thence, much less Strangers; for being advertised by some Officers of those three Regiments, and by their seditious discourses in their quarters, that many not only of the Souldiers but of the Officers too, were So well affected to the Duke of Monmouth that he durst not send them downe to the West, but rather trust to the few Troops he had there already, than run the risque by sending a seeming reinforcement to his own Army to send a real one to his enemy.' (Clarke's *Life of James II*, ii. 27.)

[2] For the rejoicings in Oxford at the news of Sedgemoor, see *Hatton Correspondence*, ii. 58. The letter of Sir C. Lyttelton (ib. 60) is a severe indictment of the judges engaged in the Bloody Assize: 'Ye countrey lookes, as one passes, allready

a little contest, their horse commanded by my Lord Gray[1] ran away, the foot quickly followed, and in a word, they are totally routed, neer two thousand of the Rebells left dead upon the place, and not above one hundred of our side kill'd, and very few wounded; yesterday about noon the King's forces were in quiett possession of Bridgewater, and not ten of the Rebells to be found any where together; Where Monmouth is we doe not yett hear: for to morrow you shall have a particular relation; for the present I begg your Lordship's pardon, and am in hast

Most faithfully yours
CLARENDON.

For the Right Honorable
The Earle of Abingdon.
At Oxford.

For his Majesty's
service.

XVIII.

[Draft.]

fol. 59. OXON 8 *July*

MY VERY GOOD LORD

A servant of my owne brought mee yesterday from the Campe an account of the successe of his Majesty's forces against the Rebels at Bridgewater, and I hope to heare from your Lordshipp this night of their total defeate our army beinge in pursuite of the enemy when my servant came away. The news was received here with bonefires and tho' I cold not bee much abroade having been ill all the morning my Brother Charles acquaintinge mee that your Lordshipp had been so kinde to the University as to gett the powder and other stores for them without money I immediately gave them an account of it who are very sensible of his Majesty's favour and thankefull for your

like a shambles.' Cf. Wood, *Life and Times*, iii. 151. There is a copy of the *Form of Prayer and Solemn Thanksgiving to Almighty God for His Majesties Late Victories over the Rebels*, to be observed upon Sunday, July 26, in Pamph. 170, 1685. 3.

[1] For Forde Lord Grey of Werk, see *D. N. B.*, xxiii. 182. He ransomed himself at a great price, and was created Earl of Tankerville in 1696; d. 1701. Macaulay's portrait of him must be fresh in the recollection of all readers.

Lordshipp's and have sent two waggons and a guarde to fetch them hither which will bee some charge to them and therefore I begg your Lordshipp will bee pleas'd to gett them dispatch'd as speedily as possible and I doubt not but that magazine with the armes they have will bee a security to this place and the whole County on all emergencys. I am not yet very well and begg your Lordshipp's pardon if I add no more but that I am

Your Lordshipp's

⟨ABINGDON.⟩

To L. C.

XIX.

[Draft.]

10 *July*

My very good Lord,

I thanke your Lordshipp for the good news of the total defeate of the Rebels, and I shold bee glad to have confirm'd by your Lordshipp what comes from severall hands in the West that their head is taken[1]. I have us'd all diligence to stopp and secure all suspicious persons but cannot yet meete with any of them which makes mee thinke that as none went to them out of this County so few will come this way. I was in hopes of takeing one Lee[2] a nonconformist minister who hath a farme in this County and usually comes once a yeare to his tennant but resides cheifely at London, but I cold not meete with him tho' I found some hogsheads of his bookes (as his tennant sayes). I presume my Militia Horse will speedily return hither and all of them have orders to returne to their owne homes, and their moneths pay being out about Wednesday next

[1] Monmouth was captured early in the morning of July 8 (Roberts, ii. 107). It is difficult to understand Reresby's statement (*Memoirs*, ed. Cartwright, 339) that the duke 'from the beginning of this, his desperate attempt, had shown the conduct of a great captain, insomuch as the King said himself, he had not made one false step.'

[2] There is an excellent Life of Samuel Lee in the *Dict. of Nat. Biog.* xxxii. 37 sq. He possessed an estate at Bignal, near Bicester, and was at this time minister of an Independent congregation at Newington Green. He very wisely emigrated to New England in 1686. Lee was a writer of some mark; but Lord Abingdon's suspicion of 'some hogsheads of his books' seems to be uncalled for.

I wold begg of your Lordshipp to take care I may have some directions before that time. Wee had last night bonefires and as general and greate expressions of joy for this victory as ever I saw on any occasion, and I heare this morninge that a zealous sister who had often said &c. was soe unable &c. that she hath &c. I heare Mr. Bard is at liberty and I shold bee glad to have some orders to dispose of those horses I tooke from him and Mr. Hord, and haveing no body but your Lordshipp to apply to must begg you will pardon this and the many other troubles have been given you by

My Lord

⟨ABINGDON.⟩

My University officers begin to looke blancke for feare they shold not have their Commissions. I hope your Lordshipp will take care they may have them which the zeale they have showne and the expense they have been at deserves.

Oxon.

XX.

fol. 59b. [Draft.]

Oxon 10 *July.*

My Lord

I thanke your Lordshipp for the good news of the total defeate of the Rebels, which I immediately communicated to the Vice-Chancellor and Maior, and I must needes say there was as general and greate expressions of joy on this as ever I saw on any occasion. I likewise that night sett guards on all the passages about this towne and not onely sent out a good petrol upon the roads for 4 or 5 miles round but a Company of the Volunteers under C:. Finch march'd to Islipp where is a considerable road from Worster [1].

[1] For Captain the Hon. Leopold William Finch, afterwards Warden, it is only necessary to refer to Prof. Burrows' *Worthies of All Souls*, 297, &c. The drum used by him is still preserved in the College Bursary. See also Wood, *Life and Times*, iii. 146, 149, &c. Mr. Andrew Clark shows (Wood, *Life and Times*, iii. 151) that Islip was an important point on the great road from London to Worcester and the West. Wood records that the footmen of Merton 'went to Islip to secure London road, and to stop all suspicious persons going to London.—At the same time the Universitie horse rode all night and dispersed themselves on the roads by Dorchester, Abendon, Farringdon,' &c. Prideaux wrote July 9 (*Letters*

I have likewise search'd some suspicious [persons *crossed through*] but I cannot yet meete with any of the Rebels which makes mee thinke that as none went out of this County so few will make this way and if any doe I have taken such order that I hope they cannot escape. Whatever commands his Majesty shall bee pleas'd to send mee farther shall with all readynesse and cheerfullnesse bee obey'd by

My Lord
Your Lordshipp's
⟨ABINGDON.⟩

In searchinge after one Lee a Nonconformist Minister who lives about London but hath an house in this County I have found 5 hogsheads of bookes and his horse and if hee bee in this County I hope to take him.

XXI.

WHITEHALL *July 9th* 1685. fol. 63.

MY DEAR LORD

This Bearer Sir Edmund Warcupp[1] will tell your Lordship all the news we have here, and therefore I need not give your Lordship any trouble at this time, but only to congratulate with you the taking of Monmouth, for which God be praysed; it is not to be doubted but the same God, who hath putt soe happy and speedy an end to this Rebellion, will blesse the King with a long and happy reigne over us; under whom your Lordship will find the reward of your many and zealous services.

to Ellis, 142 sq.): 'Our rebellion is now over, Monmouth and all his party beeing routed. Instead thereof we have now got a standeing Army, a thing the nation hath long been jealous of; but I hope ye King will noe otherwise use it then to secure our peace. The war now from ye feild I suppose will passe into ye roads, wch we must expect will a while be infested with the remainder of those rogues.'

[1] Edmund Warcupp, of Northmoor, Oxon, was created M.A. 1663, and D.C.L. 1670; knighted, Dec. 15, 1684; refused to take the oaths and test 1687 (Luttrell, i. 323, 396). He was a nephew of Speaker W. Lenthall (Madan, *Supplementary Catalogue*, iii. 379); and served 'in 1659 as a captain in the Parliamentary Army, in the Regiment of Sir Anthony Ashley Cooper. After the King's return he was made a J.P. for Middlesex; and he was actively engaged as a Magistrate in 1678, when the Popish Plot was pretended to be discovered' (Davenport, *Oxfordshire Lords Lieutenant*, &c., 66 sq.). See Wood's *Fasti* (ed. Bliss), ii. 325; Tanner MSS. xxiii. 50; Macray, *Annals of the Bodleian Library*, 242, 254.

The King has sent for this grand and ungratefull Rebell to be brought up as soon as may be, but I doubte he cannot be here till
fol. 63b. Munday | at soonest; his friend Grey is to come up with him[1]. The King has this day thought fitt to send Monmouth's children to the Tower. Your Lordship will now have time to take your rest, and therefore 'tis not fitt I should interrupt you any longer; I am ever

My Lord
Your Lordship's
Most faithfull humble servant
CLARENDON. C. P. S.

For the Right Honorable
the Earle of Abingdon
At Oxford.

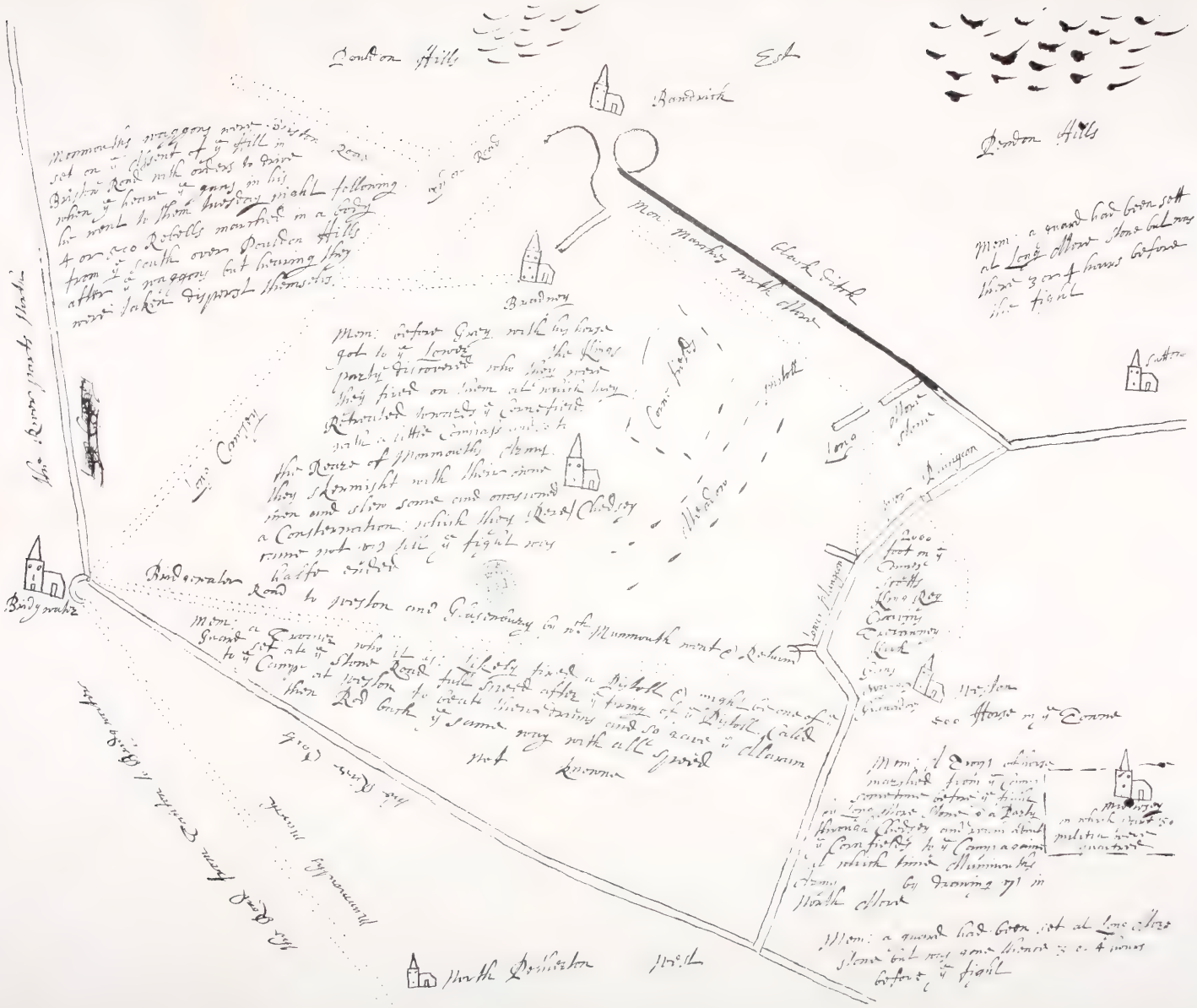
[1] The duke and Lord Grey were committed to the Tower on the evening of Monday, July 13 (Roberts, ii. 121). Clarendon accompanied the duchess on her first visit to her husband in his prison (ib. ii. 132); and the duke's children were committed to the Tower on July 9, the duchess accompanying them voluntarily. The daughter (Anne) died August 12, and was buried in Westminster Abbey, August 13, 'in Monmouth's vault, privately' (Chester, *Westminster Abbey Registers*, 214); and the two sons were released on November 17. Evelyn's remarks (*Diary*, July 16, 1685) will probably commend themselves to most readers: 'Thus ended this quondam Duke, darling of his father and the ladies, being extremely handsome and adroit; an excellent soldier and dancer, a favourite of the people, of an easy nature, debauched by lust; seduced by crafty knaves, who would have set him up only to make a property, and taken the opportunity of the King being of another religion, to gather a party of discontented men. He failed, and perished.' But he prepared the way for a better soldier and more astute statesman, after a brief interval, to gain the throne to which he had aspired.

PS. TO NOTE ON PAGE 268.

D'Alton states (*English Army Lists*, ii. 250) that Matthews began his career as a volunteer at Tangier; and gives the date of his commissions as follows: Lieut. in Viscount Mordaunt's Regiment of Foot, Nov. 10, 1688 (247; in the same regiment was Capt. E. Norton, 'probably the Edward Norton, Esqr. indicted for high treason as a fellow-conspirator with the Duke of Monmouth in 1685,' 243); Lieut.-Col. of Col. Leveson's Regiment of Dragoons, Dec. 31, 1688; Col. of the Royal Dragoons, 1690; Brigadier-General of Horse in Flanders, Oct. 4, 1694 (*ib.* 250). Is he identical with the Edward Matthews who was Ensign in the Marquis of Worcester's Regiment of Foot, June 13, 1667; and Captain in Col. Stradling's Regiment of Foot (Feb. 28, 1678)?

ROUGH PLAN OF THE BATTLE OF SEDGEMOOR

(MS. Ballard 48, fol. 74)



PART VI.

DR. NEWTON AND HERTFORD COLLEGE

BY

S. G. HAMILTON

DR. NEWTON AND HERTFORD COLLEGE.

RICHARD NEWTON was born probably in October[1], 1675, at Yardley Chase in Northamptonshire, but on the borders of Buckinghamshire, and not far from his father's estate of Laundon or Lavendon Grange[2] in the latter county. He was 'educated in Grammar learning,' as he tells us, at Westminster, was admitted to a Westminster Studentship at Christ Church at Christmas, 1694, and took the usual degrees of B.A. in 1699, M.A. in 1701. He was ordained deacon at Fulham May 26, 1700, and for four years seems to have devoted himself to teaching, as a College and private tutor, at Oxford. In June, 1704, he was ordained priest, and was presented by Bishop Compton of London to the rectory of Sudborough near Kettering in his native county. It must have been soon after this that he vacated his Studentship by marriage[3]: but he continued his pupils in his country cure, and had established such a reputation that in 1710, on the death of Dr. Thos. Smith, Principal of Hart Hall, pressure was put by his friends

[1] Newton to Rawlinson (MSS. Rawlinson, v. 18. 147): 'I do not certainly know the day of my Birth, the 8th of November was the day on which I was Baptis'd.'

[2] He was the second son of his father, Thos. Newton of Laundon, but succeeded to the estate, his elder brother James having died in 1690.

[3] His wife was Katherine, daughter of Andrew Adams of Welton in Northants, and sister of Dr. Adams, a fellow of Magdalen, of whom Hearne (April 24, 1711) gives a very indifferent account.

—among whom were Bishop Compton and Dean Aldrich—on the Chancellor [1] to nominate him to the Principalship, and on himself to accept it [2]. Newton was admitted Principal July 28, 1710, and from this date begins his public life at Oxford.

Newton returned to Oxford with decided views on the necessity of reform in the University: he accepted the charge of the Hall in the hope that he might make of it a model for imitation in learning, discipline, and economy. Hart Hall was not an unpromising field for his experiment: its character had always been respectable, and Dr. Smith, though his rule had been short, had an excellent reputation as a scholar and disciplinarian [3]: within the limits of the Aularian Statutes, Newton was free to make what regulations he pleased. Unfortunately the building operations of some of his predecessors had burdened the Hall with debt: so, in spite of his dislike of pluralities, he decided to retain for the time his rectory, and devote the income of his headship, as it came in, to the discharge of its liabilities [4]. In the University pulpit he very soon distinguished himself. Hearne is loud in the praise of this 'ingenious honest man,' as he calls him [5]. One knows that in Hearne's vocabulary *honest* and *Jacobite* are convertible terms; but, though it is likely enough that Newton shared the Tory sympathies of the majority of the clergy, he was, as he frequently tells us, of no party [6]: and he had at this time the charge of two pupils who may have somewhat compromised him in the eyes of keener politicians—the two sons

[1] The Duke of Ormonde, Chancellor 1688–1715.

[2] 'The *Station* I am in was not *Coveted* by me . . . I was sent for, from a very Peaceful Retirement by my now *Deceas'd Friends* to Do what I have been attempting.' *University Education*, p. 271.

[3] Hearne, June 2, 1710. Smith had been Principal only since October, 1707.

[4] *Letter to Dr. Holmes*, p. 6.

[5] Hearne, July 29, 1710. Even after Hearne has become disgusted with Newton's general conduct, he looks back with regret to the sermons of those early years: April 12, 1726, he writes, 'I can never now expect anything curious and usefull, or done with any tolerable skill and judgment (whatever words may be in it) from this Gentleman, who however was formerly an excellent Preacher, as I have heretofore intimated more than once, till he was spoild by too great an opinion of himself.'

[6] In *Univ. Ed.* p. 218, a father's advice to his son is, 'Have nothing to do with *Politicks*, which when you have studied all your life, you will not have found out, what will hereafter be the *Humour*, or *Resentment*, or *Private Interest* or *Public Views* of Men in Power.' Decidedly an affair of Men, not Measures, in Newton's opinion!

of Lord Pelham: Thomas, afterwards Duke of Newcastle, and his brother Henry[1]. But Hearne, though his good opinion of Newton was short-lived, is still fair enough to him in 1712 to protest against the quibble by which he was excluded from becoming a candidate for the vacant office of Public Orator. The Statute then regulating the election required that the person elected should be a Master of Arts or Bachelor of Civil Law[2]: hitherto these words had been interpreted as though they had been followed by the usual qualifying phrase 'at the least[3]': but on this occasion a strong party in Convocation were prepared to hold that all degrees were excluded except those expressly named. Newton, who had taken the degree of D.D. shortly after his appointment to Hart Hall, thought it best to withdraw; and the rival candidate, Digby Cotes of All Souls, was elected, largely, as Hearne tells us, through the influence of the head of his College, Dr. Gardiner, then Vice-Chancellor, who seems to have been the inventor of the new interpretation put upon the Statute[4].

But Newton's chief care at this time was the new scheme of discipline which he was introducing into his Hall, and which, he now began to hope, might be established on a permanent footing by the incorporation of the Hall by charter. Mean-

[1] To the future duke, who went to Cambridge, Newton was private tutor: but Henry Pelham was matriculated at Hart Hall in September, 1710.

[2] Under the existing Statute (Tit. 17, sec. 5) membership of Convocation is the qualification for the office: a B.C.L., as such, would now therefore be excluded.

[3] E.g. Dr. Hammond, having become D.D. in 1638, was elected Public Orator in 1645.

[4] Hearne, Dec. 2, 1712. On Cotes' death in 1746 Thomas Lisle, fellow of Magdalen, was elected, though a D.D. of three years' standing. Newton, in Appendix iii to his Statutes (p. 103) has some remarks obviously referring to these two elections and the part taken by certain Colleges in them. 'If the University be disposed to prefer no Other than the Person Fit for the Vacant Office, They will of themselves Promote One to it, whom they shall think Worthy to fill it . . . This being the Case, Computations are no more Necessary that a Fit Man should be chosen, than it is necessary to this End, that a Great College, divided in their Opinions of the Fitness of Competitors, should make it a Rule to Vote all One Way; the Minority, contrary to their Opinion, going over to the Majority; Or that the Greater Colleges should agree among themselves to Lend each other Mutual Assistance towards carrying All Elections for One or Other of their respective Members.' And again: 'I have lived to see the Same Great College, retaining, if not All, yet several of the Same Members, for and against the Same Thing, in the Same Circumstances, with Marvelous Unanimity, or at least Uniformity.' The Statutes were printed in 1747, when Lisle's election was fresh.

while the debts incurred by former Principals were paid off; some of the small tenements which then crowded and confined the boundaries of Hart Hall were purchased; and a lease was obtained from Christ Church on very easy terms of an undefined piece of ground to which they had a claim [1]. On the area thus obtained Newton built, partly with the aid of subscriptions, the existing Chapel of Hertford College, and the south-eastern corner of the quadrangle: this was the famous Angle, the model for three others, which Newton intended to build on the same plan. Fortunately for posterity, he never had the means to carry out this part of his design. The Chapel was consecrated by Bishop Potter of Oxford, November 25, 1716 [2]: Dr. Newton gradually established his discipline; and in 1720 printed an outline of his scheme, professedly for the purpose of inviting criticism; though, since he added an appendix of remarks designed to meet all possible objections, it is most likely that the alterations subsequently made were due to his own revision. The essential features of the Newtonian discipline are the same in this scheme and in the later Statutes of the College. Already the outward form of the buildings is minutely prescribed: the quadrangle is to be 115 feet in length and 100 in breadth; the four angles are every one of them to contain fifteen sets of rooms, the central set to be occupied by a tutor [3], who was to be responsible for the good order of his Angle. The sides of the quadrangle were to contain—the Chapel already built, on the south, the Gate with the Library above it on the west, the Hall on the north, and the Principal's lodgings on the east. All was to be uniform, and to correspond with the buildings already completed [4]. The new foundation was intended to be a training

[1] It seems that Newton built, or was thought to have built, over this ground without knowing of the Christ Church claim to it. A tenant of Christ Church discovered from his lease that part of the property which he held of the House was a 'Garden in Hart Hall.' This, he protested, 'he had never seen in his life, nor knew where to find.' Christ Church accordingly transferred this part of the lease to Dr. Newton at a quit rent of 4*d.* per annum 'without consideration.' See Conybeare, *Calumny Refuted*, pp. 109 sq. Newton, *Grounds*, c. ix. p. 54.

[2] Newton's sermon on this occasion was printed and 'dedicated to the subscribers.' Hearne, Dec. 21, 1716.

[3] Profanely called an 'Angler.' Amhurst, Append. to *Terrae-filius*, p. 283, 'a precarious angler in your hall.'

[4] *Scheme*, p. 5.

school principally for the clergy; but Newton did not approve of a plebeian clergy[1], and did not care to give much encouragement to 'poor scholars.' So, though every one was to be endowed, no one was to have a maintenance: the income of the tutors was to be chiefly dependent on their pupils; the students, as they were to be called, were to receive just enough to induce them to submit to the discipline[2]; just enough, an unfriendly critic might say, to enable them to pay the fines by which the discipline was to be enforced. In one respect this first design was less ambitious than the later one; Hart Hall was not to be a College but an Incorporated Hall[3], an anomalous institution, which seems to foreshadow the *New Foundation*[4] of modern times. This feature of the scheme soon disappeared: probably it was found that it would be easier to get the Society incorporated as a College of the well-understood type than in a way for which there was no precedent.

The design of the new College encountered opposition at the very outset. Dr. George Clarke, M.P. for the University[5], writes to Dr. Charlett[6] Jan. 10, 1721 :—

'I hear from Oxon that ye Principall of Hart Hall is very fond of

[1] Newton's views on this point deserve to be noted. Appendix to *Scheme*, p. 2: 'It seems Inconvenient that many more should aim to be educated Clergymen, than who can Themselves bear the Charge of a Liberal Education. For the Narrow Notions and Ordinary Behaviour of Persons meanly Born and in low Circumstances; their Want of Books for the Improvement of their Understandings, and even of decent Apparel for their comely Appearance in their high Stations; their Liableness to Improper Compliances with Great wicked Men for Bread, and the little Interest they will always have to Protect Themselves or their Brethren from Oppression in bad Times, will naturally subject them to Contempt, to the great Disservice of Religion.' He thinks there are 'Servitor's Places enough in the two Universities to bestow on all the Poor Youth in the kingdom,' who deserve a University education. Four are provided for in this scheme: in the later Statutes the objectionable name of *servitor* is changed for that of *scholar*.

[2] In particular, to strict *residence* in Term. App. to *Scheme*, p. 1.

[3] *Scheme*, p. 5: 'This Society shall continue in the same State with regard to the rest of the University, after it shall have received the aforesaid small Endowment, as it was in before, and be called by the same Name, as it now hath, and hath had for above these four hundred Years.'

[4] Of which Keble College is as yet the only example.

[5] Fellow of All Souls 1680–1736; he represented the University in Parliament continuously from 1717 to his death in 1736. He had recently taken a considerable part in the foundation and endowment of Worcester College (1714).

[6] Master of University, 1692–1722.

founding a College, but would be content to doe it in another convenient place if one could be found for him; he intends to apply to ye Chancellor[1] for his approbation, of which I have given his Ldp notice this morning, that he may not be surprised into a consent, but take time to know the thoughts of his humble servants at Oxford. I told him that I could wish Dr. King[2] and Dr. Newton to exchange their Halls, and reminded his Ldp of the claime we layd in, when he was at Oxford, for Hart Hall, if it should become vacant[3].'

The scheme partly revealed in Clarke's letter was this: a certain Dr. Worth[4] had, it seems, a promise from the Duke of Ormonde when Chancellor of the Principalship of Hart Hall on the next vacancy. If the Hall were incorporated under Newton's Statutes, he would have been cheated of this prospect. So it is proposed that Dr. Newton should take St. Mary Hall in exchange for his own, and found his College there—a cool proposal, considering his recent purchases and buildings. Though this particular plan was not pressed, yet consideration for Dr. Worth's interest in Hart Hall seems to have made many of the Heads of Colleges unwilling to give to Dr. Newton's scheme the approval which the Chancellor required[5] as a preliminary to his own consent.

Dr. Charlett died not long afterwards[6]: and in the disputed election for the Mastership of University which followed, Dr. Newton had an opportunity of which he did not fail to take advantage, of making his peace with the Heads[7]. The

[1] The Earl of Arran, who had succeeded the Duke of Ormonde in 1715.

[2] Dr. William King, Principal of St. Mary Hall, 1719–1763.

[3] MSS. Ballard, 20. 107.

[4] Worth had been deprived in 1707 of a fellowship to which he had been irregularly elected at All Souls, being then Archdeacon of Worcester. (Hearne, Jan. 9, 1707.) He was a good scholar, and probably wished for a *locus standi* at Oxford: but I suspect that this scheme was part of a larger one, the object of which was to add to Charlett's preferments. It may be noted that both King and Newton long survived Dr. Worth, who died in 1742.

[5] Here, I presume, Dr. Clarke's influence comes in.

[6] December 18, 1722. Dr. Newton was inclined to attribute all his subsequent troubles to the check which Charlett had given to his designs: 'He is in his Grave, having first been the Instrument of defeating *My* Project, without accomplishing *His Own*.' Letter, p. 7.

[7] At least it seems that his action had this effect. Conyb. *C. R.* p. 53. Newton, *Grounds*, c. vii. p. 32 n. Perhaps his fondness for writing was always a sufficient cause for a pamphlet.

two candidates for the mastership were Thomas Cockman, a former, and William Denison, an actual fellow of the College. At the election Cockman obtained five votes out of ten, and Denison, who threw away his own vote, only four. But it was contended that a *canonical* election being required by the Statutes, one candidate or the other ought to have had an absolute majority of the electors present. Denison's supporters appealed to the Visitors: five days afterwards

'The Visitors met. The Proctor for the Appellants returned the Process duly executed on the Parties Appellate. They were severally call'd. None of them appear'd. The Visitors pronounced them Contumacious, and decreed *Procedendum fore etc.* Hereupon Eight of the Visitors exhibited a Protest in writing, wherein they declar'd, that inasmuch as they had not Determin'd this Cause within *Three Days* after it was brought before them, their Visitatorial Power was at an end. . . . Then came Mr. Cockman into Court and declar'd he had been admitted, that morning, to the Mastership of the College; and that the Visitors had no further Jurisdiction. . . . The Court adjourned to the next day, Dec. 12. . . . The Protesting Visitors absented. The Acting Visitors proceeded to hear the merit of the Appeal. They found Mr. Cockman's Election had not been made agreeably to the Statute *de Canonica Electione.* They . . . order'd the Fellows to proceed to a new Election. They were regularly cited for that purpose. Nine appear'd. Five proceeded to elect. Four refused. Mr. Denison was elected. There was no Appeal to the Visitors. His Election was Confirmed. He was Admitted. He is Master.'

Such is Newton's account of the matter[1]: but who were these Visitors? They were the Vice-Chancellor, Doctors in Divinity and Proctors, who styled themselves and wished to be believed 'the true lawful and undoubted Visitors of University College.' In fact their position was open to serious doubt. They had certainly acted on former occasions as Visitors, but only as delegates of Convocation, in which the Visitatorial authority really resided, and to which there lay an appeal[2]. In the end Cockman obtained the Mastership:

[1] *Proceedings, &c. Vindicated.* Introd.

[2] W. Smith (*Annals of Univ. Coll.* p. 376) sums up to the effect that 'it is as impossible for one Side to shew that ever a Master of University College was admitted by any Fellow till his Election was approved by the Vice-Chancellour

but it was at the expense of overthrowing the Visitatorial authority of both Convocation and its Delegacy, and establishing that of the King as the successor of Alfred[1].

But six years were yet to pass before the case of University College was finally decided at Westminster: meanwhile Dr. Newton put forth a pamphlet to vindicate the authority and proceedings of the self-constituted Visitors. The Heads of Houses[2] were conciliated; his principal opponent amongst them had been removed: and on the representations of Newton's friends, among whom was Mr. Strangeways[3], an intending benefactor to the new foundation, the Chancellor gave a cordial approval to the scheme of incorporation[4].

But troubles from another quarter had meanwhile appeared. In an unhappy moment, 'some time towards the latter end of the year 1722 or the beginning of 1723,' John Conybeare, fellow of Exeter College, had 'discover'd casually[5] a memorandum in Eveleigh's Register Book of Exeter College estates; which suggested, that the Title of Exeter College to Hart Hall was much clearer than the Title of Magdalen College to Magdalen Hall; and that Hart Hall might be recover'd to Exeter

Doctors and Proctors; as it is for the other Side to prove that those last named persons are the true and absolute Visitors of the College, or any more than a standing Delegacy, from whose Judgment Appeals may and frequently have been made to the Convocation.'

[1] And, it may be added, of setting up the Alfred legend as an article of Faith. See a letter of May 2, 1727, quoted by Smith (p. 339): 'It has been said in Westminster Hall by one of the Interpreters of the Law, that king Alfred *must* be confirmed our Founder, for the sake of Religion itself, which would receive a Greater Scandal by a Determination on the other Side, than it had by all the Atheists Deists and Apostates from Julian down to Collins: that a Succession of Clergymen for so many years should return Thanks for an Idol, or mere Nothing, in Ridicule and Banter of GOD and Religion, must not be suffered in a Court of Justice.'

[2] Who practically controlled the Delegacy, seeing that it consisted precisely of the Hebdomadal Board with the addition of such Doctors in Divinity as were resident. Newton himself acted as a Visitor on this occasion.

[3] Thomas Strangeways or Strangways had been a member of Hart Hall, and was now M.P. for Dorset.

[4] Earl of Arran to Lord Carteret, May 17, 1723: 'I am so far from being a hindrance to this good Work, that I do not only readily give my Consent to it, but make it my request that your Lordship would please to give Orders for the expediting of this matter, so that the Principal's good Intentions may have effect as soon as may be.' S. P. Dom. Geo. I. B. 56. 115. Carteret was Secretary of State until April, 1724, when the Duke of Newcastle succeeded.

[5] Newton thinks rather 'sought after with diligence.' *Grounds*, c. vi. p. 23.

College, if it should be ever thought worth while to contend for it[1].' Conybeare did think it worth while; and with the co-operation of some of the fellows and the support of their Visitor, the Bishop of Exeter[2], started a formidable opposition to the granting of Dr. Newton's Charter.

Indirectly this was the cause of another misfortune: Dr. Newton himself shall tell the story:

'One of my Tutors, whilst I was attending the Grievous Opposition given by Exeter College to the Incorporation of My Hall, had undertaken to be the Publick Lecturer[3], in my Absence and in my Stead; and, for proper Reasons, had alter'd the Hour of the Lecture, as I My self have often done, from *Two* in the Afternoon till *Four*; and had given early Notice of it to Those who were concern'd. A certain Leader, who Assum'd to himself to be the Protector of the Commoners in their Privileges, that nothing of Hardship might be impos'd upon them by their Tutors, took the Liberty to expostulate with the Reader of the Lecture (though not himself subject to it) about the Alteration of the Hour, in so unbecoming a Manner, and with such improper Insinuations, as could not but have very ill Effects upon the Society. Accordingly, Many of them enter'd into a Conspiracy not to submit to the Lecturer's Injunction, and the Rule of the House in that particular. They came not to Lecture; they were Impos'd. They refused to make their Impositions; they were put out of Commons. They broke open the Doors to come at the Provisions; they were Sconc'd. They hiss'd the Tutors of the Society, and shew'd other Marks of Insolence and Contempt; and went in a Body to offer Themselves to be Admitted into Another House: They were rejected, return'd home, cool'd in a day or two, came to themselves, were asham'd and confounded at what they had been doing, begg'd Pardon in proper Epistles, made their Impositions, were received again into Favour, their pecuniary Penalties were remitted, the *Hall*, for the present, was Exposed, but the *Discipline* of it, as I appre-

[1] Conyb. *C. R.* pp. 13 sq. It must be noted that Conybeare would give the impression that the title of Magd. Coll. to Magd. Hall was *clear*, and the title of Exeter Coll. to Hart Hall *much clearer*: whereas it had been decided in the Common Pleas in 1694 that Magd. Coll. had *no* effective title to Magd. Hall.

[2] Dr. Lancelot Blackburne, the cheerful prelate who 'had been a buccaneer, and was a clergyman,' according to Horace Walpole. He was translated the next year (1724) to York. But his successor, Dr. Stephen Weston, took up the quarrel with still greater ardour.

[3] The Public Lecture was given by the Principal to all the Undergraduates of the Hall every Thursday at two o'clock.

hended, most effectually Establish'd[1]. And so, indeed, I had *Reason* to apprehend, 'till it received this Wound from Mr. *B.* and from the *P—st of O—l*, than which a greater hath not been given to Discipline in general, in the Memory of Man, nor, indeed, can possibly be given[2].'

'This Wound' was the admission of William Seaman at Oriel College. Seaman had been implicated in the revolt and had returned to his duty with the rest. But 'in Act Term, 1723,' he applied for a *discessit* from Hart Hall. On Newton's refusal to give him one, he took his name off the books and went into the country. Towards Christmas he reappeared and was admitted a Commoner of Oriel College in the absence of both the Provost and the Dean by Joseph Bowles[3], a fellow of the College, but not even, as Newton complains, the senior in residence. Dr. Carter, the Provost, was a man of peace: perhaps the thing done could not be undone: at any rate he acquiesced in the irregular admission, paying at the same time the fine of forty shillings imposed by the Statute in such cases.

Dr. Newton had in this matter good cause of complaint, and he was not the man to let it pass in silence; but the book which he thought fit to publish on this occasion under the somewhat misleading title of *University Education* magnifies the grievance beyond all reason. His excited imagination pictured Hart Hall deserted by all its scholars, fleeing from the wholesome discipline which he had established:

'I seem to have only this Choice left me, Whether I will Suspend the Use of the Statutes which the University hath laid me under an Oath to observe, or Evacuate this Ancient House of Learning by putting them in Execution.'

[1] *Terrae-filius*, Appendix, p. 306: 'I joyfully congratulate your Majesty upon this occasion; hoping that none of your subjects will attempt to disturb your reign any more; but join with a loud voice in crying, Long live Dr. Newton, monarch of Hart Hall.'

[2] *Univ. Ed.* pp. 106–108.

[3] The 'Mr. B.' of Newton's book. He had been himself a Commoner of Hart Hall (*Univ. Ed.* p. 74). 'His own merit had not been overlook'd in that obscure House of Learning.' Indeed, according to Amhurst, Newton had made difficulties about his leaving it (App. to *Terrae-filius*, p. 283). He was Bodley's Librarian from 1719 to his death in 1729.

And yet the thing complained of had never happened but in this one instance since 1548. That the forty-shilling penalty, originally fixed in 1489, had become trivial, is true enough; still it was all that the statute required; nor had such a disciplinarian as Archbishop Laud thought fit to increase it in 1634. The fine, it seems, had ultimately come out of Seaman's pocket; but it was idle for Newton to insist, as he did, that it was the Provost who should have paid it. In the case of the year 1548 the Rector of St. Mary's College was ordered by the Vice-Chancellor to restore a scholar whom he had admitted without a *discessit* from White Hall. Even as he presents the case, Dr. Newton allows that the restoration of the scholar was an alternative to the payment of the penalty; yet he contends that the Provost of Oriel should, after paying the fine, restore the scholar into the bargain:

'Will now so Wise and Good a Man as Mr. *P—st* of *O—l* content himself to say, "That the Statute is *Penal* and that the *Penalty* is paid"? Will a *Good* Man rest in this, that the Statute *Demands* no more, and that therefore he *Needs* do no more? If he *Can* do more; if it be agreeable to the *Intention* of the Statute that he *should* do more; if, in every respect whatsoever, it will be *Better* that he should, than that he should not, do more; methinks, as he is a *Good* Man, he must *Needs* do more. The *Letter* of the Law is one thing, the *Equity* of it another. He must of Necessity desire, that however defective the *Expression* of the Law may be, the *Intention* of it should not be fruitless. Defect in the *Terms* of the Law, however this may be a Refuge to One, who aims only to be *Safe*, never fails to be supply'd by Him, who loves to be *Obedient*[1].'

But the Provost's refuge was in silence:

'Newton with open mouth demands a Stray;
Carter looks wisely and will nothing say:
Newton remonstrates; Carter's wondrous shy:
Newton then prints; but Carter won't reply:
O endless Question, should it last so long,
Till Carter speaks, or Newton holds his tongue[2]!'

[1] *Univ. Ed.* p. 83.

[2] Hearne, Nov. 16, 1724: 'Communicated to me last night by Mr. James West of Balliol College, who said the author of them was Mr. Davies, formerly Vice-Principal of Hart Hall. I should rather think they were done by Mr. Jones of Balliol College.'

Needless to say, Newton never got back his 'Stray.' It seems that one motive for Seaman's migration, which perhaps could not well have been avowed, was that he had a prospect of a fellowship at Oriel. He died fellow in 1735[1].

Seaman's was not the only case dealt with in Newton's book; another of his scholars, Joseph Somaster by name, had applied for a *discessit* to go to Balliol, alleging that he could live cheaper there than at Hart Hall, that he was promised tuition for nothing, and finally that he was eligible for a scholarship. On the last ground Newton felt obliged to let him go, though the gratuitous tuition seems to have been a delusion. But he was indignant at the reflection on the economy of his Hall. To defend it he prints Somaster's account[2] for one quarter of continuous residence, showing

[1] Hearne, May 12, 1735.

[2] I reproduce this account with Newton's own notes from p. 196. It is interesting as showing the average expenses of an undergraduate in a College which aimed at economy. The quarter is from Midsummer to Michaelmas, 1723, in which period Somaster 'was not Absent from the Hall one Day.' His home being as far off as Kingsbridge in Devon, he lived no doubt at Oxford, Term and Vacation alike.

	£	s.	d.
'Chamber-Rent	01	00	00
[a] Tuition and Officers Stipends	02	05	00
[b] University Dues	00	01	03
[c] Charter	00	00	06
Bedmaker's Wages	00	06	06
Domus	00	00	03
[d] Decrements	00	04	02
Servitor	00	02	06
Commons and Battels (*Cook* and *Butler's* Salaries [e] included)	03	16	11
	£07	17	01

[a] To the *Tutor*, £1 10*s*. To the *Publick Lecturer*, 5*s*. To the *Vice-Principal*, *Chaplain*, *Catechist*, and *Moderator*, 2*s*. 6*d*. each. [These charges, Newton adds, are rather *above* the average, but undergraduates at Hart Hall gain by having fewer Fees to pay than elsewhere.]

[b] To the *Readers* of the *Unendow'd Lectures*, 6*d*. To the *Bedell of Arts*, 2*d*., called *Culet*, i.e. *Collecta*. To the Keeper of the Galleries at St. Mary's, 6*d*. To the Clerk of St. Mary's, 1*d*.

[c] Paid to the University, at Michaelmas and Lady Day only, for the Defence of their Privileges.

[d] Each Scholar's Proportion for Fuel, Candles, Salt, and other Common Necessaries: originally so call'd as so much did, on these accounts, *decrescere*, or was *discounted*, from a Scholar's Endowment.

[e] 4*d*. a week to each of those Servants from every Commoner of the Society, in lieu of all Fees and Perquisites, before receiv'd by them.'

that the whole expense of his eating and drinking did not exceed 10¼*d.* a day:

'After this manner did *This Commoner* Live in Hart Hall; and after this manner . . . have *Other Commoners* Liv'd, and do still Live in Hart Hall; and after this manner, whenever my Family are not with me . . . do I *Myself* Live in Hart Hall. Upon these Occasions I hardly ever Dine or Sup out of the Common Refectory; I neither *Vary* the Meat[1] nor *Exceed* the Proportion that is set before the *Lowest* Commoner; *Ten-pence* a Day hath paid for my Breakfast, Dinner and Supper, even when there was *Ale* in the Society, which now there is not[2].'

However, a scholarship of £3 2*s.* 6*d.* a year seemed a sufficient reason to Dr. Newton for granting Somaster a *discessit.*

But Newton had his triumphs in this controversy as well as his defeats: here is another story he has to tell:

'No sooner was *W—m S—n's* Settlement in *O—l C—e* in appearance fixed and certain, but *Another* Young Man of the Society, equally reluctant to the Discipline of it, and under the like Resentment and Influence, sollicites a *Discessit* from me to go to Trinity College. The Reason offer'd for this Removal being disapprov'd by *Me*, a Different One was given to the *Vice-Chancellor*: Which was, that at Trinity they had a very Fine Garden; and he hoped to have his Health better there than at Hart Hall.'

But this would-be deserter found no favour either from the Vice-Chancellor or the President of Trinity; nor would Dr. Newton give him a *discessit* until he had returned to the Hall[3] and had there given 'a Specimen of Behaviour that was fit to be Approv'd in Trinity College.' Then, it appears, he allowed him to go, and he now 'takes the Liberty, for once,

[1] *Terrae-filius*, Append. p. 301 n., remarks, 'This part is liable to dispute; I will only put you in mind of the late instance of *pease* and *bacon.* You remember what you said upon that occasion, viz. *Is such diet as this to descend to the populace?*'

[2] *Univ. Ed.* p. 199. *Ale* is of course the strong Ale, now to be found only in a few Colleges. 'Small beer' was the drink of Hart Hall: *Terrae-filius*, l. c. pp. 293, 317, makes merry over the diet of 'small beer and apple dumplings,' the prescribed fare for dinner on Fridays in the Hall.

[3] P. 120. Like Seaman, he seems to have taken his name off the books; unlike him, to have failed to get another house to take him in.

to intrude into this young Gentleman's Retirement' with 'this faithful Advice:

That he do not Mistake the Use of that Fine Garden, which he pretends so much to Admire . . . I would have him consider, that the proper Use of that Fine Garden is not to create in *Philosophers* an Appetite to *Elegance*, but to set forth to *Young Men* the Advantage of *Education*: for those Fine *Eughs*[1] could not have been so beautifully form'd, if they had not been *Obedient to the Bender's Will*[2], and suffered with Patience the Amputation of every luxuriant and superfluous Branch, in confidence that all this Art, and Care, and seeming Severity of the Pruner, would contribute to the Improvement, and to the Reputation of the Plants[3].'

One cannot but suspect that in such a passage as this Newton was not altogether unconscious of the humorous quality of his style[4]: and, whatever we may think of the argument of *University Education*, the pleasure he took in writing it is manifest in every line. Hearne bluntly calls the book 'a most wretched silly trifling thing[5]'; and indeed the idea from which Newton sets out, that the whole body of University and College Statutes was rendered useless as long as the particular statute about migrations remained as it was, is absurd enough. It was no doubt annoying to a man who was attempting to establish a particular rule of discipline to see his scholars evade it by going elsewhere; but Seaman's example was not allowed to be made a precedent, and Newton's gloomy predictions had been falsified before his book appeared. But after all the book in detail is better than its design, and the following passage, which sets forth some of the practical results of free migration, may serve to refute Hearne's statement that it contains not a single 'good or curious observation'; while it certainly justifies Newton's unwillingness to grant *discessits*.

[1] Meaning no doubt *Yews*: but is there any authority for Newton's spelling?

[2] Spenser, b. I. c. i. 9.

[3] *Univ. Ed.* pp. 121 sq.

[4] Cf. his pleasing description of All Souls, p. 211. A friend had commissioned him to enter his son at a College, if possible All Souls. But that, says Newton, was not possible, 'it being an Excellent Part of the Constitution of that Society to Admit no Other Members of it, but such as having liv'd with Reputation in the University for some Years are Ambitious to be Elected into it.'

[5] Hearne, April 12, 1726.

'When I have already an Irregular Scholar in My Society, there are these Reasons for Detaining such a Scholar, for a time, tho' Irregular. 1. That if I readily let *Him* go, because he hath made Me Uneasy, and I am Weary of him, *Others* will infallibly behave in the same Manner, with the same View. 2. That when I shall have given him Leave to go, he will not be gone for all that. He will Enter Himself in Another House indeed; but as, when he was a Member of *This* House, he Liv'd half his Time in *Another*; so now he is Removed to *Another*, he will Live *here* still as much as at home; and will give me abundantly more Trouble now, than he either did, or possibly could do before, since he now finds he may do it with Impunity; for his Present Governor is not here to take Notice of him, and his Former Governor hath nothing further to do with him. He is *Departed*, indeed, but his *Ghost* still hovers about the Ground; haunts the place of his wonted Abode; disturbs the several Apartments with unseasonable Visits, and with strange Noises; and scares all Those who never expected his Return to This Region any more[1].'

But to return to the controversy with Exeter. It was admitted on both sides that the College had some claim upon some part of the Hall. Indeed there is no doubt that the original Hart Hall, with the adjoining Arthur Hall, was purchased by Bishop Stapeldon from the then proprietors in 1312–14, and that these two Halls were the first home of the Bishop's new foundation. After Stapeldon's scholars had moved to the present site of Exeter College, they continued to receive rent for the two Halls, soon merged into one under the name of Hart Hall[2]. But in the course of centuries Hart Hall had absorbed other Halls[3] and tenements: consequently the yearly rent of £1 13*s.* 4*d.* which was paid to Exeter College in Dr. Newton's time[4], was due only in respect of a part of what was then Hart Hall, the site of the two Halls originally purchased by Stapeldon. According to Newton

[1] Pp. 50 sq. Amhurst happily appropriates the last sentence (He is Departed, &c.) as a motto for *Terrae-Filius*. Throughout his bantering *Letter* (Appendix to *T. F.*) he delights in addressing Newton as his fellow-labourer in the great work of reforming the Universities.

[2] See Boase, *Reg. Coll. Exon.* iii–x. and the documents, pp. 284–288.

[3] As Black Hall, Cat Hall, &c.

[4] Newton was mistaken in thinking that the rent had been unvaried for 400 years (v. Boase, *l. c.*), but right in what he asserted, that it had been the same for 185 years.

this quit-rent, as he regarded it, was the utmost the College had a right to: the College asserted that they were owners of the soil, and that they could and would recover possession, unless satisfactory terms of compensation were agreed upon.

Meanwhile, Dr. Newton's petition for a charter had been presented, and referred to the opinion of the Solicitor-General, Sir Philip Yorke[1]: Exeter College put in a *caveat*, desiring to be heard in opposition. After a delay of some months, in the course of which the Solicitor-General became Attorney-General, and Exeter College, as Conybeare complains, lost the assistance of their counsel, Sir Clement Wearg, now promoted into the place of Yorke, the hearing at length took place February 25, 1724. The Attorney-General's Report to the King followed on October 1. He expressed doubts—which were amply justified in the sequel—as to the adequacy of the proposed endowment for the new College; but against the claims of Exeter he pronounced without reserve: the evidence produced by the College proved only, in his opinion, that the College had in times past, by means of collusive leases granted to former Principals, attempted, and failed, to set up the very title to the Hall which they now claimed. Hart Hall had, he considered, as good a title against Exeter College as Magdalen Hall had been allowed to have against Magdalen College by the judgement in the Court of Common Pleas of 1694[2].

But Dr. Newton's troubles were by no means at an end. Dr. Hole, indeed, the Rector of Exeter, acquiesced in the Attorney-General's decision: but the leading spirits of the opposition among the fellows took immediate steps to continue it. The triumvirate, as Newton calls them, Conybeare, Atwell, and Bailey[3], instructed their legal agent to petition

[1] Afterwards Lord Hardwicke.

[2] See Attorney-General's Report in Appendix.

[3] *Joseph Atwell* (F.R.S. and distinguished as a man of science) held a general power of attorney from the College to prosecute their claims, at least until the hearing of Feb. 1724. He was throughout the *informing* spirit of the opposition to Newton. *Thomas Bailey* did not take a prominent part in the business, except in joining with Conybeare to coerce the Rector (Conyb. *C. R.* p. 33; Newton, *Grounds*, c. viii. p. 35). He died in 1733.

the Duke of Newcastle, 'in case they should desire to be further heard against Dr. Newton's Petition before His Majesty in Council, that your Petitioner may have time to prepare matters for that end, before any Warrant issue out of your Grace's Office for a Charter[1].' The Duke consented, and Conybeare and his friends thought themselves 'safe for the present.' Their confidence might have proved misplaced had Dr. Newton been the man of sharp practices that Conybeare endeavours to prove him. If at this moment he had pressed his old pupil the Duke for the Warrant, it is difficult to see what obstacle the College could have opposed to its being issued. The Warrant would have gone to the office of the Lord Privy Seal; there the College could have secured a fresh hearing for their claims, before the issue of the charter. But what the triumvirate really desired was delay; they had no fresh evidence to produce, and they never did produce any; though some circumstances gave plausibility to their pretence that Dr. Hole was now entirely in Newton's interest, and was withholding from the fellows documents which would prove their rights.

Dr. Newton, meanwhile, secure in the judgement of the Attorney-General, was busying himself about certain amendments which he wished to have made in his charter[2]. That the charter itself was in danger, he does not seem to have imagined. But a powerful adversary had just been added to the ranks of its opponents. Bishop Blackburne of Exeter had concurred with the College in demanding a hearing for their claims: he might perhaps have been satisfied by the Attorney-General's report; but in the meantime he had been translated to York; he was no longer Visitor of the College. The new bishop, Dr. Stephen Weston, took up the cause which he believed to be that of the College with ardour; and his influence soon appeared in the disagreeable intelligence that Newton received from the Under Secretary under date May 18, 1725, 'That he [the Secretary] had, that day, had an opportunity of offering my instruments for the Incorporation of the Hall to the Duke of Newcastle for His Majesty's

[1] Conyb. *C. R.* p. 32.

[2] See the Correspondence in Appendix.

signing; but his Grace bid him let me know, that the Bishop of Exeter opposed it: and that it would be necessary for me to wait upon the Bishop and make him easy in the first place; and then his Grace would move His Majesty upon it[1].'

Thus began the long opposition, which wasted fifteen weary years of Newton's life, and, worst of all, outlived his friend, 'Mr. Strangeways, who waited to see the Hall incorporated, that he might settle his endowments upon it[2]': so that the new foundation, when at length it emerged from the struggle, emerged with a mortal wound. Not only was the remaining endowment insufficient, as the Attorney-General foresaw, for any College; but it was insufficient to secure the establishment of the scheme of discipline, which was to make Hertford College what, for want of it, it never had a chance of becoming.

The opposition subsequent to the Attorney-General's report must be distinguished from that which preceded it. Exeter College had a *prima facie* case, and it is no wonder that Bishop Blackburne took the view that it was the duty of the fellows to fight it. They did so, and the decision had gone against them. So far the whole College had acted together; henceforward it was only a party that wished to continue the struggle. It was still possible to appeal from the Attorney-General's judgement, and this the opponents of the Charter at first determined to do. They petitioned the Duke of Newcastle, as we have seen, for delay; they induced the Rector to put the College seal to a petition to be heard before the King in Council; and they lodged a second *caveat* at the office of the Lord Privy Seal. But as soon as they had persuaded their new Visitor of the justice of their cause, the petition was allowed to lie idle; the *caveat* expired and was never renewed; in the influence of the Bishop of Exeter they

[1] *Grounds*, c. ix. p. 38.

[2] *Univ. Ed.* p. 18 note. Strangeways had undertaken to provide the endowment for the whole body of students. He died Sept. 22, 1726, at the age of 43, without having made any provision for the carrying out of his intentions; which Conybeare therefore professes to doubt. 'If he had intended anything of the kind, he might easily have secured it to Hart Hall in trust, to be paid when the Charter should be granted' (*C. R.* p. 69). But Strangeways' premature death, and Newton's assurance (*Grounds*, p. 42 a) dispose of this objection.

had found a force of obstruction which they hoped would compel Dr. Newton from sheer exhaustion to desist from his design. The position was this: while the *Caveat* was waiting —or supposed to be waiting[1]—at the Privy Seal Office, to arrest the charter as soon as it should arrive there, Bishop Weston's influence was sufficient to prevent its ever leaving the office of the Secretary of State. The Duke would not let the charter go forward until Dr. Newton had 'made the Bishop easy,' which, after repeated attempts, Dr. Newton found he had no chance of doing.

It is not unlikely that Bishop Weston had been persuaded of the truth of Conybeare's assertions, that Dr. Hole was entirely in Newton's interest, that he withheld the muniments of the College from the inspection of the fellows, while he allowed Newton to search freely amongst them for anything that might favour his views. Dr. Hole was a man of weak character, not greatly respected in his College; his prestige had been diminished by a quarrel with the fellows not many years before, in which he had been worsted on an appeal to the Visitor: he had a certain fund of senile obstinacy, but his great age—he was eighty-four at the time of the Attorney-General's report—had also weakened his memory, and made him incapable of persisting in any settled course[2]. He wished to befriend Newton; but the only effective action he took in his friend's cause was his refusal—in spite of his friend's request—to refund to the College the expenses which with his own consent they had incurred—some £80—in opposing the charter before the Attorney-General[3]. His obstinacy in this

[1] It had been allowed to expire; but it could be renewed whenever the Bishop gave them warning that he could, for any reason, no longer stop the progress of the Charter.

[2] Newton, *Letter*, p. 10 d. 'Tho' he often fled to me in his Distress, yet he never followed my Advice in a single instance. By thus applying to me and consulting me and favouring me with his good Opinion and kind Expressions, he might, for ought I know, have induced a Belief that I had some Influence over him, which I never had . . . . Any kind of Terror, real or feigned, would at any time have made him recede from his Purpose. . . . He was an Honest Man, as far as a Timorous Man can be so, an excellent practical Preacher and Catechetical Lecturer, but a very unfit Governor of a College.' Conybeare, *C. R.* p. 117, calls him, less politely, 'a weak, forgetful, fanciful, inapprehensive Old Gentleman.'

[3] Avarice was notoriously one of his failings. *Terrae-Filius*, viii. p. 39, and elsewhere.

particular, and his pliability in others, did Newton more harm than good. As for the charge of his refusing access to the College muniments, Newton has sufficiently answered it. It was among those muniments that Conybeare first discovered the memorandum from which he started: it was from those muniments that the documents in support of the College pretensions were produced before the Attorney-General, and no complaint was made at the time that any evidence had been suppressed. More than that, no fresh documents were forthcoming, when Dr. Hole died and Conybeare himself succeeded to the Rectorship. Still, as long as Dr. Hole lived, it was possible to represent to the Visitor that the College was denied the use of its archives and at the same time to plead the Rector's age as an excuse for not compelling him to produce them. So about the year 1727 it was generally understood that the Bishop would continue to obstruct the progress of the charter for the remainder of the Rector's life [1].

Dr. Newton, too, placed his hopes in the election of a new Rector. William Stephens, whom rumour, founded on half-forgotten promises, had designated as Hole's successor, was his friend [2]. But when at length Dr. Hole died a nonagenarian in 1730, it was not Stephens, but Conybeare, who was elected in his place. At least it could not be said that Conybeare had not access to his College muniments [3]. Newton attempted to reopen the question; but his attempt ended in a fruitless interchange of civilities with the new Rector, and a more decided rebuff from the Bishop, to whom a last appeal had been made [4]. It was evident that his opponents did not

[1] In fact Conybeare had requested him to do so. *C. R.* p. 44.

[2] *Grounds*, c. x. p. 47. Stephens had ceased to be a fellow as far back as 1719, and was at this time vicar of St. Andrew's, Plymouth.

[3] Accordingly he is reduced to hinting that Newton had purloined some of them (*C. R.* p. 128). But the charge is hardly serious: the only important document missing was the original grant of Hart and Arthur Halls from Bp. Stapeldon to the scholars of his foundation. Its tenour was known and its existence presumed in other documents produced before the Attorney-General. It was known to have been sent up to London for Archbishop Laud's inspection during his Chancellorship, and had not been seen in Oxford since. Probably enough, as Newton suggests, (*Grounds*, p. 25) it was seized with the rest of Laud's papers when the archbishop was committed to the Tower.

[4] Newton's Sixth Letter to the Bp. of Exeter, May 16, 1732: printed in *Letter*, pp. 17 sqq.

intend to allow his charter to proceed, or to let the claims of Exeter to the Hall come to a second trial. A fresh change in the Rectorship did not alter the situation. In January, 1733, Dr. Conybeare became Dean of Christ Church: in the following month Atwell was elected Rector of Exeter in his place. Overtures were made to him, this time by the Vice-Chancellor[1]: Atwell quoted a late utterance of the Bishop, which was reported to Newton as meaning that the matter was still open. The usual misunderstandings followed: Newton wished to press the Bishop with his own words. Then (I quote Newton's narrative):

'The Vice-Chancellor desired he might speak with Me, before I proceeded. When I waited upon him early on the nineteenth [Apr. 19, 1733] I found him of Opinion there had been no Mistake[2]; but since I was determined to make the Matter *Publick*, He desired once more to ask Mr. Atwell, whom he was to Admit that Morning to the Degree of Doctor in Divinity[3], whether there had or no. I equally desired he would do so, and that he would acquaint him, at the same time, with my *Resolution*. When *this* was understood, Mr. Atwell said "No. The thing was not so as He[4] had represented it. What he had said to Him was, *that he would do as the College would do, and the College would do as their Visitor would have them do*," or to this Effect. As the former Conversation was not remembered by Mr. Atwell, so this was New to the Vice-Chancellor. The Discourse happened in the *Apodyterium*. After they entered the *Congregation*, and Mr. Atwell had had a Conference with Dr. Conybeare, who attended there to *Scio* for him, He came up to the Vice-Chancellor as yet sitting in the Chair, and observed to him, "There was another thing, that he believed the Principal was not aware of, and that was, that *if he had got clear of Exeter College, the Dean of Christ Church would oppose him; for the Principal held something of Christ Church*." And, that this might make the Deeper Impression upon me, when I should

[1] Dr. Wm. Holmes, President of St. John's, Vice-Chancellor 1732–35.

[2] i. e. as to what Atwell had said.

[3] Atwell took both degrees in divinity while still a layman. His election to the Rectorship as a layman was probably intended to establish a precedent, as it had been only recently (1721) decided by the Visitor that it was not necessary for the Rector to be in Holy Orders. See Newton, *Exp. Red.* postscr. p. 55; *Grounds*, p. 2; and Boase, *Reg. Coll. Oxon.* p. 133. Atwell was in orders when he resigned the Rectorship in 1737.

[4] i. e. the Vice-Chancellor.

be told of it, the Dean himself, in a Visit to the Vice-Chancellor that Afternoon, or very soon after, repeated to him that *He believed the Principal was not aware, that he might meet with Opposition from Christ Church, for that he held something of Christ Church*[1].'

Conybeare's opposition, it appears from this, was now frankly personal. In 1727 Newton had written anonymously, in the cause of economic reform, a pamphlet, in the form of a letter to a nameless fellow of Exeter, entitled *The Expence of University Education Reduced.* As he was quite unable to keep his grievances out of anything that he wrote at this period, he had devoted to them four or five pages of this pamphlet[2], reflecting sharply on the conduct of the fellows of Exeter and their Visitor. Conybeare, as if to show that his removal to Christ Church had made no change in his sentiments, chose this time to threaten a prosecution, under the Statute *de libellis famosis*, against the (formally) unknown author of the work. The author immediately reprinted it, first with one, then with a second postscript, vindicating his remarks. A new edition of *University Education* also appeared, with fresh notes on the 'grievous opposition' of Exeter College. Finally, in July, 1734, Dr. Newton published his formal arraignment of his adversaries before 'the tribunal of fame,' under the title of *A letter to the Rev. Dr. Holmes, Vice-Chancellor of the University of Oxford and Visitor of Hart Hall.* As the fellows of Exeter had invoked the aid of the Visitor to oppress him, he would turn to *his* Visitor for relief. This is but a rhetorical artifice: the appeal is really to the academical public at large.

'Hitherto,' he says, 'when I have told my Story in Private Con-

[1] *Grounds*, c. xi. p. 53 sq. The something which the Principal held of Christ Church was that which he held on a lease at 4*d.* a year (v. above, p. 284 *n.*). Conybeare (*C. R.* pp. 109 sq.) tries to make the most of this something, by suggesting that Dr. Newton's chapel was built upon it, and that Ch. Ch. had been defrauded by its having been consecrated. But the plot of ground turned out to be really unknown and insignificant.

[2] *Exp. Red.* pp. 45–50. So little has this passage to do with the main subject of the book, that nothing appears to be missing from the 4th ed. (published in 1741, after Dr. Newton had got his charter), from which it is cut out. The book is reduced from 51 to 47 pp. In the 2nd and 3rd edd. containing the two postscripts, it is swollen to 60 and 64 pp.

versation, I have hardly been Believ'd. My Friends would reply, that there must be something more in this Matter than I was aware of; or, suspect that I had Omitted something in my Account of it, which, if related, would give it Another Appearance. For, as it appeared by my Representation, the Thing was Incredible. For, either there never were such Men in the World as my Opponents, or, if there *Were*, they could not conceive how so Hard a Case should be utterly without Remedy. I now therefore tell my Story to the Publick, that These Men may refute it if it be not True; or, that if they do not refute it, it may be seen, there *Are* such Men in the World; and that as Hard as the Case is, both with respect to Me, and to the Society, there is no possible Remedy but That which I am taking, if *That* be Any[1].'

So he tells the whole tale of his misfortunes, adding several of his letters to the Bishop of Exeter, in which may be traced the history of his attempts, and their failure, to induce the College either to compromise their claims or bring them to a second trial. Of late the Rector had been threatening Common Law proceedings; but the threat was a *brutum fulmen* to Newton, who was well assured that the College would have no better success against him than Magdalen College had had against Magdalen Hall[2]. He only wishes they would bring their action:

'They have since suffer'd Three several Assizes to be held at their Door, without submitting this Matter to the Cognizance and Decision of the Court. As often as the Essoign Days have approach'd and the Declaration of Ejectment threaten'd to be deliver'd hath been expected, or rather *Wished* for, so often have I found Myself amus'd and disappointed[3].'

At any rate an answer to the *Letter* was soon forthcoming[4].

[1] *Letter*, p. 19.

[2] See above, pp. 289 *n.*, 296.

[3] *Letter*, p. 20. And again, at the end of the book, 'The Assizes are over, and there is Nothing done' (p. 22).

[4] In MS. Ballard, 47, 37, are some 'Verses to Dr. Newton of Hart Hall':

On an ill-fated day,
When a lad ran away,
You open'd your grievance to Carter:
But to Conybeare now
You no quarter allow
For wantonly stopping your Charter.

In your former dispute
The defendant stood mute;
Not so in the present, I fear;
For tho' not Yea nor Nay
The good Provost would say,
The Dean may be tempted to swear.

Early the next year[1] appeared *Calumny Refuted*, in which the Dean of Christ Church professed to reply to the 'Personal Slanders' of Dr. Newton, and to vindicate the conduct of Exeter College and its Visitor. It is a very clever book: it is not really an answer to Newton, but it makes a very fair show of answering him. Conybeare goes through the story from the Exeter point of view. He draws a picture of the College, threatened by Newton and his powerful friends the Pelhams from without, endangered by the treachery of the Rector[2] from within, and only enabled to survive, one would think, by the protection of the Visitor. But he assumes, rather than attempts to prove, that the College had rights beyond those allowed by the Attorney-General's report: above all he fails to give any reason whatever for their unwillingness to submit those rights to the decision of the law: he seeks rather to create the impression that Newton himself is the obstacle to a trial[3].

Dr. Newton's complaint was just. People could *not* believe that the case was as he had represented it. Hearne, who had shown some signs of relenting towards Newton when the *Letter* appeared[4], is completely muddled by *Calumny Refuted*. He does not believe in the Exeter claims, but, he says:

'This being a plea of the College, it ought to have been tryed, and no Charter should be granted till their Right be disproved';

[1] Dr. Newton had read the Dean's book by Jan. 28, 1735, when he notices it in a Postscript to his *Letter*.

[2] Dr. Hole.

[3] For example, this is his answer (*C. R.* pp. 104 sq.) to what Newton had said about the threatened suit at Common Law, which 'no body supposes they ever intend':—'Mr. Atwell offered this Gentleman, *shortly after the Opposition first began*, to proceed by Ejectment, if the Doctor would stop the Prosecution of his Charter.' But this only means that when the case was yet to go before the Attorney-General, Atwell tried to gain time by suggesting that it should be heard in another Court. Speaking of a later time, he asks triumphantly: 'Did the Doctor upon this [i. e. the Bp. of Exeter's reply to his sixth letter, referring him to the College] ever make any Application to me; or signify, that he desired that we would proceed to an Ejectment? Not in the least.' But when the College were *threatening* an Ejectment, why should the Doctor do anything of the kind? 'Since this was the Case, the College surely were at liberty to take these Measures at what time they pleas'd.' Quite so: and they were equally at liberty, if Dr. Newton *had* applied to them to proceed: his applications to the College were not generally treated with such respect as Conybeare would have us believe.

[4] Hearne, Nov. 2, 1734, had written: ''Tis Pity Charities and Benefactions

ignoring the Attorney-General's decision. He proceeds:

'This book of Conybeare's refutes Newton much better than I expected, and shews him to have misrepresented things in his Quotations . . . and to be guilty of calumny and lying; and yet in that, Conybeare is likewise to be blamed, and really I cannot tell which of them is the most to be credited. I have no opinion of Conybeare's veracity[1].

Indeed Newton seems to have convinced the Bishop of Exeter himself that Conybeare's reports of his language and conduct were not to be trusted[2]: and those parts of Conybeare's book which Hearne not unnaturally characterizes as 'silly[3],' the aim of which is to prove that Newton's foundation is unnecessary[4], and Newton himself a Jacobite[5], seem to be addressed

should be discountenanced and obstructed. But it sometimes so happens, when the persons that make them are suppos'd to be *mente capti*, and aim at things in the settlement that are ridiculous, which seems to be the case at Hart Hall, as it is represented to me. However, after all 'tis better not to publish the failings of persons, especially of clergymen on such occasions, least mischief follow, the enemy being always ready to take advantage.' He had previously remarked that 'Dr. Newton is commonly said to be *founder-mad*.'

[1] Hearne, Jan. 28, 1735. Hearne is much struck by what Conybeare says about Dr. Newton's offer of fifty years' purchase for the quit-rent of £1 13*s*. 4*d*. mentioned above (p. 295). Conybeare professes to have believed that this offer was of fifty years' purchase for what the College *claimed* (*C. R.* p. 40), and on learning the truth, says that 'the Proposal amounted to this: That if we would give up all we had been contending for, he would then give us a handsome Purchase for what had never been disputed.' But how could Newton have offered any number of years' purchase for what the College had never set a definite value on? and which he denied they were entitled to?

[2] *Grounds*, c. x. p. 53. 'What I writ so staggered his Lordship, that he was then in a mind to have reconsidered the whole Matter of the Obstruction given to me.' And in *Grounds*, c. ix. p. 44 one of Conybeare's misrepresentations is exposed.

[3] Hearne, Jan. 29, 1735.

[4] Conyb. *C. R.* pp. 74 sq. The Dean's argument is that 'the real interests of Hart Hall are the same without a Charter as with it, since Benefactions for the use of the Hall may be secured by granting them to the University on Trust.' But Newton's benefactions were intended to secure the observance of certain Statutes. I suspect that Conybeare relies on the Bishop's Cambridge education—he was of King's College: for somehow Cambridge men, with Trinity College and Trinity Hall before their eyes, have always found a difficulty in quite appreciating, though they may be aware of, the difference between a College and Hall at Oxford. Besides, Sir Philip Yorke, who was of neither University, had further confused matters by speaking unadvisedly of the Principal and *Fellows* of Hart Hall in his Report.

[5] Conyb. *C. R.* p. 78. After all, the Dean can lay no more to his charge than that he 'hath never employed any of his Eloquence either to support His Majesty's

directly to the Bishop, to keep him firm in his opposition to the charter, rather than to any other readers. *Calumny Refuted* had no sooner appeared than Newton added a postscript (Jan. 28, 1735) to his *Letter to Dr. Holmes*, in which he gives a very just description of his opponent's book:

'I have read the Answer of the Dean of Christ Church to the foregoing Letter. What was promised is not performed. I do not apprehend that I have been guilty of any Calumny, or written any Libel. Some Things are denied by Mr. Dean, which I still affirm; others affirmed by him, which I deny. I do not see there is any Thing Refuted more than that, whereas, in p. 9. I have said the new Petition was for another Hearing before the Lord Privy-Seal, I should have said, before the King in Council. The Conduct of the Society of Exeter College is not Vindicated, neither That of their Visitor, nor yet That of the Dean. The main View in this Answer is, I find, to discredit Me in Matters not at all relating to the Dispute between us, that the Reader may from thence infer how little Credit is to be given to what I say of Matters that *Do* relate thereto. In *this* View I think he will not succeed. Neither is it generally believed, that he had ever any reasonable Hopes of succeeding. But having, either through Impatience of Censure, or *Dream* of a *rich* Stock of Materials for an Answer, put out a rash Advertisement of it, not to be recalled when he should *Awake* and find himself *Poor*, he brought himself, as it were, under a Necessity of saying *Something*, though never so little to the Purpose; and in a manner that is *Angry*, as if he, therefore, had *Reason*. Accordingly it is a Scolding Piece; but it is so of One, who, all the time he is scolding, is walking off, while his Adversary keeps his Ground.'

Perhaps the cleverest touch in Conybeare's book is his expressed determination not to write any more on the subject, since he knows Newton will have the last word[1].

Thus the Dean covers the last steps of his retreat. He would indeed have found it difficult to make any effective reply to the exhaustive treatise which Newton, in answer to *Calumny Refuted*, published in the course of the year[2]. The

Title, or to recommend His Administration.' Newton naturally answers that the King's title being indisputable, he sees no occasion for defending it. *Grounds*, c. xiii. p. 60.

[1] Conyb. *C. R.* pp. 133 sq.

[2] *The Grounds of the Complaint of the Principal of Hart Hall, &c.* went through

Grounds of Dr. Newton's Complaint is the last word of the controversy, and it is final.

But Newton might gain victory after victory with his pen; while any of the triumvirate were in a position to oppose him, so long would his charter be obstructed. Conybeare was removed to Christ Church, Bailey was dead, Atwell still remained. But Atwell, though his authority as Rector and his influence with the Visitor were sufficient to keep matters as they were, now stood alone in his College. A new generation of Fellows had sprung up; in the whole body Newton did not know of a single enemy, besides the Rector: and even the Rector's enmity, he suspected, was due rather to his friendship with the Dean of Christ Church than to any other cause[1]. The extreme bitterness with which the Dean pursued Newton and his projects it is now, perhaps, impossible to account for. That the quarrel was personal there can be little doubt. Conybeare was himself a reformer: both Exeter and Christ Church were successively indebted to him for the restoration of good order[2]; but Newton and Newton's scheme of reform he was determined by all and any means to thwart and oppose.

In March, 1737, Dr. Atwell resigned the Rectorship. Under his successor[3] the opposition of Exeter to the incorporation of Hart Hall melted away. Bishop Weston ceased to obstruct[4]; and 'the way to the Privy Seal Office,' where there was no longer a *caveat* in waiting, lay open to Dr. Newton. It was at a less hopeful time than when he had compiled his first Statutes in 1720 that he now set about revising them for the royal approbation. At that time the idea of University reform was in the air; it had taken definite

two editions in 1735. Hearne, who died June 10 in this year, probably did not live to see it.

[1] Newton, *Grounds*, c. ix. p. 46 *d*.

[2] It should also be remembered to his credit that, after being Dean of Ch. Ch. for twenty-two, and Bishop of Bristol besides for five years, he died poor. For an account of the reforms inaugurated by him and carried out by his successor in Exeter College, see Boase, *Reg. Coll. Exon.* pp. 350 sqq.

[3] James Edgcombe, Rector, 1737–50.

[4] Being no longer importuned by the College to do so: possibly also the Bishop's own views may have been changed since the publication of Newton's *Grounds of Complaint*.

shape in the schemes of Prideaux and Lord Macclesfield[1]; a royal or parliamentary Visitation of the Universities was looked for: and the founder of a College, had it come into being at that juncture, might have flattered himself that he was providing a model for the expected reform of the older Societies. But it had now become pretty clear that the Visitation was not to take place. Public interest in the matter had abated, and there was but little chance of another Strangeways coming forward to support the project of a reformer with endowments. But Dr. Newton was as sanguine as ever; having now *no* endowments beyond what he had himself undertaken to settle on the College, he boldly added eight Junior Fellows to his foundation. In the general scheme there was practically no change; but those alterations were made which Newton had with such ill fortune attempted to introduce into his Charter in 1725, and which provided for the immutability of the Statutes after the founder's death, and the termination of fellowships with the eighteenth year after matriculation[2]. The new Statutes received the royal approbation November 3, 1739, and on September 8 the next year, Dr. Newton received his long wished-for Charter for the incorporation of Hertford College.

It is now time to examine the Statutes of the new Society. The Charter reserved to the founder the right of altering the Statutes, with the consent of the Visitor and of the Crown, until the day of his death. Then they were to be printed, and

[1] Humphrey Prideaux, Dean of Norwich, wrote Nov. 26, 1715, a Letter to Lord Townshend containing a syllabus of fifty-eight articles for the Reformation of the Universities. Lord Macclesfield's scheme is dated 1718 (Gutch, *Collectanea*, ii. pp. 53 sqq.). One part of it—the providing of exhibitions for deserving persons—was for a time carried out. Lord Macclesfield entrusted the recommendation of deserving persons to Bishop Potter, who in his turn consulted Dr. Newton. Whether Newton did or did not recommend Conybeare for one of these exhibitions, was part of their quarrel. See Conyb. *C. R.* pp. 110 sqq. and the Postscript to Newton's *Letter*.

[2] A similar provision is to be found both in Prideaux's (art. 13) and Lord Macclesfield's schemes. Prideaux would have a hospital 'to be called *Drone Hall*' in each University, wherein Colleges are to maintain such of their Fellows as after twenty years are unable to earn their own living. But Newton is more severe in limiting the time to eighteen years from *matriculation*, instead of twenty years after *election*. I cannot understand his proposal to turn his Tutors—for his Fellows were necessarily Tutors—adrift at the age of thirty-six or so. Of the original Fellows named in the Charter, two were already above standing for the position.

to become the laws of the College for ever. But in the year 1747, Dr. Newton, having made as many alterations as he thought he was likely to make, printed and published his Statutes, ostensibly, as in 1720, with the view of inviting further suggestions, but accompanied by a still more copious appendix of notes, by which he probably considered that he had placed his legislation beyond the reach of criticism.

Section I. opens with a few historical remarks on the Hall, now become a College; to which Dr. Newton adds a note to the address of possible benefactors—

'Being Letten to *Scholars*, [the Tenement] was call'd a HALL, and being Letten by *Hertford*[1], HERTFORD Hall; and is now with the same Simplicity stil'd *Hertford College*; but may be call'd by the Name of any Other Person who will compleat the Indowment of it, or become the Principal Benefactor to it.'

The College is said to be 'a Society Incorporate for the Education chiefly of young Scholars design'd for Holy Orders, consisting of a *Principal*, Four *Senior Fellows* or *Tutors*, and Eight *Junior Fellows* or *Assistants*.' The Principal is to hold office for life, the four Tutors until they are of eighteen years standing from their matriculation, and the eight Assistants for the three years only between the Bachelor's and Master's Degrees in Arts. The Students were to be strictly limited to the number of thirty-six, of whom four were to be called Scholars[2]. All were to be endowed, the scholars sharing a sum of £16 13*s.* 4*d.*, arising from an old benefaction from certain lands of the Abbey of Glastonbury, and paid yearly from the Exchequer, since the dissolution of monasteries, to the Principal of Hart Hall[3].

Each Tutor was to take charge of exactly one-fourth of the undergraduates, and to see them through the whole of their

[1] i. e. Elias de Hertford, 1282.

[2] This is an improvement. In the Statutes of 1739 they are still called *Servitors*, so Dr. Newton may be credited with the wish to get rid of an offensive name. But his Scholars *were* Servitors all the same.

[3] The lands were given to the Abbey by a knight named Bignell, charged with a yearly exhibition for ten scholars of Hart Hall. The rent-charge amounted at the time of the dissolution to £32 13*s.* 4*d.* So Wood (Gutch's Wood's *Colleges*, p. 643), who adds that £16 of it 'was begged of Q. Eliz. by Sir W. Mildmay for his foundation of Emmanuel Coll., Cambridge,' on what ground, does not appear.

University career: had Dr. Newton been able to get the machine into complete working order, exactly eight students and one scholar would have come into residence every year, to be handed over to the Tutor who had for the moment no pupils on his hands, having just seen his last batch of nine take their degrees. Each Tutor was to have the services of two Junior Fellows to work under him; and to take in his turn the yearly College offices of Vice-Principal, Catechist, Chaplain, and Moderator.

The rest of the section is devoted to the endowment. The Principal is to have the rent of all the rooms in College, with certain fees, from all the undergraduates as their 'Publick Lecturer,' and from all members of the College as 'Perpetual Burser[1].' The endowment of each Fellow was to be £13 6*s.* 8*d.* a year, one-fourth, that is, of the rent-charge settled by Newton on the College arising from his Lavendon estate[2]. With tuition fees and allowances for room-rent and commons, a Tutor's income *might* amount to £110. Each student was to have £6 13*s.* 4*d.* during his first year, and then £13 6*s.* 8*d.* until he took his B.A. degree. If after that he was appointed a Junior Fellow, he was to receive the princely income of £26 13*s.* 4*d.* for three years more: but unfortunately no funds were ever provided from which the incomes either of Students or Junior Fellows might arise.

These, for the most part imaginary, revenues[3] are on no account to be augmented, 'unless with Commons[4]': they are to bind those who receive them to residence every Term, under

[1] The whole amounting, according to Newton's figures, to something over £280 a year. This seems to have been considered as a fair income for the head of a house in those days. The Rectorship of Exeter, for example, is said to have been little more than £100. See *Grounds*, c. x. p. 49. On the other hand, the value of Newton's fellowships is only a third of the then ordinary £40.

[2] It was to have been £60, but is now reduced to £53 6*s.* 8*d.*

[3] It will be seen that Dr. Newton, having no actual endowment to deal with beyond his own £53 6*s.* 8*d.* a year, seems to have amused himself by dividing that sum by two over and over again in order to fix the various revenues mentioned in the Statute.

[4] An allowance for Commons might be settled on all members of the society at the rate of 6*d.* each *per diem* for thirty-one weeks in the year. Dr. Newton adds a sanguine note (p. 6) to the effect that the Principal and Tutors being already fully endowed, 'a provision is wanting *only*' for some £586 13*s.* 4*d.* a year to complete the endowment, and £244 2*s.* 6*d.* more for Commons.

a penalty of a shilling for every day's absence; and they are to entitle all the Students to scholars' gowns. The obligation fell through for lack of the endowment: whether the privilege was exercised, does not appear. Provision also is made for 'some few Persons of superior Condition'—gentlemen-commoners in fact—who 'may possibly not be inclin'd to accept of the Indowment.' They are to be allowed to wear 'a Tuft,' but the same gown as the rest; and they are to 'stand to Double Commons,' and to pay double for tuition and everything else.

Section II. deals with the Chapel prayers, which every one was to attend under a penalty of 2*d.* for each absence. It may be noted that Dr. Newton insists on the division of the services, which we are apt to regard as a modern improvement; but in those days it was a practice gradually falling into disuse; Newton's note is:

'These Services being *Distinct*, it was originally *Intended* they should be read at *Different* Times[1]. They *are* so read in some Cathedrals to this day; and *ought* to be so in All Parochial Churches. . . . I do not find any Order of Convocation for the Jumbling these services together. The Practice seems to have crept into the Church by the *Negligence* of Incumbents, and the *Occasions* of Pluralists. But it is time to let the *Reason* of things take Place, and to give *Invitations*, rather than create *Reluctances*, to Religious Duties.'

The undergraduates are all to take their weekly turns by twos to read the Lessons in Chapel 'on Sundays, Holidays, and their Eves; and on every Other Day, a Chapter out of the Gospels before Dinner in the Hall, and another out of the Epistles before Supper, both the Lessons for the Day[2].'

Section III. contains the two oaths, the first, to be taken by the Principal on his admission, to the effect that he has not obtained his place by corrupt means, and that he will not

[1] Accordingly it is prescribed that the *first Service* (i.e. *Mattins*) is to be at 7.30 from Oct. 1 to Feb. 1; 6.30 from Feb. 1 to Oct. 1. 'The *second Service*, with the *Litany*, on Litany Days, at *Nine*.' The time between the two was to be filled on Sundays and Holidays by a Catechetical Lecture to the College Servants. Evening Service was to be always at 6.30.

[2] It would appear from this that the Lessons were not read in Chapel on ordinary days, or perhaps the First Lesson only.

corruptly resign or exchange it; the second, the oath of every member admitted, that he will not damage the goods of the College nor defraud it of its dues. A sensible, though somewhat prolix, note is appended, condemning the usual practice of exacting an oath to observe the Statutes [1].

Section IV. is 'Of the Choice and Settlement of the Principal.' He is to be chosen by the Chancellor of the University from among the Westminster Students of Christ Church, or, failing them, the existing Fellows of the College [2]. He must be a Master of Arts and in priest's orders, but not above standing for the degree of D.D., and he must be prepared to resign any incompatible preferment that he may hold. The Dean of Christ Church has the right, not only of *admitting* the Principal, but of *nominating* him, if the Chancellor should allow a month (or three months, 'if he shall be beyond the Seas') to elapse after a vacancy has been duly notified to him. The Principal was to be admitted with some ceremony: he 'shall make a Latin Speech to the Society in the Common *Refectory*; take the *Oath* prescribed by the Statutes; proceed from his Seat in the Common *Refectory* to his Seat in the *Chapel*; and having read the First Service in his Seat, and the Second at the Communion Table [3], receive the Sacrament himself, and give it to the whole Society then resident. When the Sacrament is over, the Dean of Christ Church, or his Representative, shall conduct him into the lodgings of the former Principal, and give him Possession of those also.'

Section V. deals with *Exercises*, by which are meant (1) *Lectures*, (2) *Disputations*, (3) *Themes*, (4) *Collections*.

(1) The Principal's Thursday lecture to all undergraduates has been already mentioned [4]. The Tutors are to lecture to their classes on all week-days except Saturdays, and there is to be an evening lecture at nine o'clock three days a week; also a Divinity lecture to all undergraduates every Sunday evening.

[1] The omission of such an oath is due to a revision of the Statutes since 1739. In the draft of that year it appears, as in that of 1720.

[2] There is no mention of the Fellows of the College in the Statutes of 1739.

[3] On this occasion only the Services were to be 'jumbled': p. 311.

[4] See p. 289.

(2) Undergraduates are to dispute in Philosophy only on Mondays and Wednesdays; Bachelors on Fridays in Philosophy and Theology. By the following regulation Dr. Newton hoped to improve the character of the public disputation in the Schools[1], at least as far as his pupils were concerned:

'That this Exercise may be performed with the greater Pleasure and Benefit, Enquiry shall be made at the End of each Term, what *Public* Exercises Any of the Society are to do in the Schools the Term following, that the Moderator may order those Questions to be first Disputed upon in the *College*, which are afterwards to be Disputed upon in the *Schools*.'

And again—

'The *Respondent* and *Opponent* shall each of them, by way of Introduction to the Disputations, premise something relating to them in certain *Speeches* commonly called *Supposition* and *Opposition* Speeches: Which shall not be bare *Transcripts* out of Philosophical or Theological Books.'

Of course *Strings* are not to be named or thought of.

(3) Every undergraduate was to 'make a *Theme*, or a *Declamation*, or a *Translation*' every week. The Themes were intended as an exercise in *English* composition. Undergraduates were to begin to *declaim* in their second year, in English; and in Latin in their fourth year. The *Translation* was to be from Latin into English, or English into Latin; or, 'when any Undergraduate shall write *Latin* correctly and with Purity, into *Greek*, or any *Other* useful Language.'

These exercises, having been criticized by the Tutors, and corrected by the authors, were to be 'Read or Spoken before the Society' on Saturdays: and since the exercises were set for a Term in advance, they were to be required of absent members of the College, as well as of those in residence; and to be read or spoken by such—one after the other, it would

[1] On this subject see Amhurst, *T. F.* no. xxi. pp. 105 sqq. and Vicesimus Knox, *Essays*, lxxvii., quoted in Miss Quiller-Couch's volume of *Reminiscences* (vol. xxii. of this series), pp. 161 sqq. Some years ago I found between the leaves of a book in Hertford Coll. Library a fragment of an old letter (of about the end of the last century) which illustrates the farcical character of the public exercises. The letter begins, 'Dear Cousin, I am Oblig'd to you for your offer to do Quodlibets with me, but I find, on Application to my Tutor, that I have already done them.'

seem—on the first Saturday after their return. It was quite necessary to keep Saturdays free from lectures.

'Batchelors of Arts, for the First Six Terms which they aim to keep towards their Master's Degree, shall read in the College, as an Exercise of the House, the *Six Solemn Lectures* (One every Term) which are afterwards to be read by them in the Schools as an Exercise of the University for the said Degree; and in every of the Other Terms to be kept for the said Degree, they shall make and publickly Speak or Read a short Sermon upon a Text of Scripture assigned them by the Principal. Without the performance of this Exercise they shall neither keep the Term, nor receive a *Testimonium* for Orders, nor have an Instrument of Leave to go to Another House.'

It must be remembered that most, if not all, of Dr. Newton's students were intended for Holy Orders; and that, according to the practice of the time, few probably of those who were not would contemplate taking a degree. But all would be subject to the following rule:

'Whereas two Undergraduates are every Week, in their Turns, obliged to read certain Chapters of the Holy Scriptures in the Hall or Chapel, and to subject themselves afterwards to be Examined therein by the Principal, or any of the Tutors, they shall every Day before Dinner and Supper, lay upon the Tutors' Table fairly written Explications of all such Difficulties in the Chapters by them respectively read, as in their Opinion wanted to be Explained, and were well accounted for by such Commentators as their respective Tutors had on this Occasion recommended to their Perusal. And this Exercise well performed shall be accepted instead of the Weekly Exercise otherwise required of them.'

There were two other possible substitutes for the weekly exercise:

'If any Undergraduate, having a *Genius* to *Poetry*, shall choose to make *Verses* instead of the *Theme* or *Translation* required of him, he may be indulged this Liberty, if the Principal shall think fit, and it shall not be found to draw off his Mind from serious Studies.'

The poet was, I suppose, like the rest, to recite his compositions: then there were '*Narrations*, or Recitals of celebrated *Speeches* or other beautiful *Portions* of Classic

Authors,' which were to be 'the proper Exercise of Two Undergraduates every Week in their Turns, instead of the *Theme* or *Translation* otherwise required.'

Altogether the Saturday doings at Hertford College suggest a School with a Speech-Day once a week.

Collections were to be made by every undergraduate from the 'Four Classic Authors' appointed for his year's reading.

'These Collections, consisting of such beautiful Expressions or Reflections as the Reader *Admires*; or of such difficult and obscure Passages as he *Explains*; or of such Characters of Persons, or Descriptions of Actions as he thinks worthy of *Imitation*; or of such Geographical or Chronological Remarks as appear to him *Material*; or of whatever else he conceives either useful for himself to *Remember*; or to *Impart* to others, shall on every Thursday be shewn to his Tutor, and at the End of the Year to the Principal [1].'

Section VI. is *Of the Power and Duty of the Principal.* There is hardly any limit assigned to either. The Principal was to appoint the Tutors, if possible from among his own pupils of Hertford College [2]: he might dismiss them for neglect of duty after two 'admonitions'; he was also to appoint the Junior Fellows or 'Assistants,' and to 'Choose, Admit, and Displace' all the College servants. He was also to be 'Perpetual Burser of the College.' As for his duties, they are summed up in the comprehensive clause:

'It is the *Natural*, and shall be the *Indispensable*, Duty of the Principal to see, that *All* the Members of his Society do their Duty faithfully and effectually in their respective Stations.'

So he was to '*Send* for, as he sees Occasion, or *Visit* in their Chambers *All* the Members of the Society'; to be present from time to time at the Disputations; and to give

[1] This was what was commonly understood by 'Collections' at that time. It is easy to see how the term came to be applied, first, to the act of showing one's Collections to the Head, then to the act of showing *oneself*, which is now what is *properly* meant by the word, though its use has been extended to the examination preceding this act.

[2] 'If there shall be None of *this* House, or who have formerly been of *this* House, who shall by him be thought worthy of being Tutors (which God forbid)'; or, if they shall refuse the office, 'the Principal shall be at Liberty to choose his Tutors out of *any* House in either University.'

a public lecture once a week in full Term to all the undergraduates. He is also to call a Tutors' meeting once every fortnight at least in full Term; 'and there, with the utmost Freedom, Affection, and Friendship, confer and consult with them[1].' In like manner he is to submit to them his accounts as Bursar to be audited; or, as Newton expresses it in his imperial manner, 'he shall have all the Tutors' Hands to the said Accounts, attesting the *Justice* and *Punctuality* of the same.'

Besides these powers and duties, a special privilege is accorded to him:

'Moreover the Principal, if he *Delight* in the Education of Youth, and it shall be made *Worth his while* to read to *One Pupil* only, as his *Proper Tutor*, shall have the Liberty, notwithstanding the *Limitation* of the Number of Undergraduate Students to be Educated in this College at one time to *Thirty-two*[2], to take upon him the Care and Education of *One Pupil* only and no more. And such Pupil . . . shall not be considered as *One* of that *Number*, tho' he shall, in all respects, be subject to the *same Rules*.'

Such, we may suppose, was the position of Henry Pelham at Hart Hall; and Dr. Newton perhaps looked forward to future generations of the family.

The detestation of jobbery, which is so honourable a characteristic of Dr. Newton, appears in a provision that relations of the Principal and his wife, 'even to the Fourth Remove inclusive,' are to be incapable of becoming Tutors without the special recommendation of the Visitor.

In like manner it is provided that if the Principal shall receive any consideration for the appointment of a Tutor or any other Officer of the College, his headship is to be *ipso facto* void[3]: as also, if he

'Accept, Have or Injoy any Cure of Souls or Sinecure; any Lec-

[1] Much as a *good* Roman emperor might consult the Senate. But in neither case was there any question where the *authority* resided.

[2] Exclusive of the four Scholars.

[3] Among the officers enumerated are the Butler, Cook, Brewer, and Baker. The practice reprobated was by no means so uncommon as might be imagined. It had been put a stop to at Exeter by Conybeare, and an ordinance was made against it in that College in 1733. See Boase, *Reg. Coll. Exon.*, p. 353.

tureship or Professorship of any kind, either within the University or out of it; any Deanry or Bishoprick; any Second Dignity in any Church or Churches; or any *One* Dignity, Preferment or Imployment either Spiritual or Temporal, which doth Require or Suppose his Residence as Necessary in any Other Place than his Own Society in any Part of the Time of Full Term, when by the Statutes he is obliged to be Resident in the said Society [1].'

Finally, the Visitor has power to deprive the Principal after 'Admonition': or without 'it, if he shall have been guilty of anything so *Heinous* as to *Deserve* to be removed.'

Section VII. deals with the position of the *Tutors.* The College 'Exercises' are again enumerated, and the manner in which the Tutors are to conduct them is minutely laid down. Dr. Newton was determined that they should be kept to their work, and the only relaxation provided is that '*Two* Tutors may have Leave to be Absent *One half* of the several *Vacations*, and *Two* more, the *Other.*' In the Vacation one lecture a day only to all the undergraduates resident is required.

A lecture is to be given in this manner:

'The Tutor, before he enter upon an Explication of the *Present* Lecture, shall always examine his Pupils as to what they Remember and Understand of the *Former.* He shall then direct his Pupils to Read, and to Explain as well as they can, what they read of their next Lecture to Him; and He, as they go along, and there is Occasion, shall make his *Remarks,* and *Descant* upon what is read, and clear the Difficulties that occur.'

An excellent method, no doubt, but hardly matter for a Statute. With like wealth of detail, the way in which

[1] Newton had still the rectory of Sudborough before mentioned (p. 281), but he had given up the whole income as well as the charge to his curate. He wished to resign it, but it is characteristic of him that he would not do so without a promise that his curate should succeed him. Bishop Gibson (of London), the patron, would not be dictated to, but his successor, Bishop Sherlock (1748), agreed to present the curate, and Newton was enabled to resign. It must be observed that the Canonry of Christ Church, to which Dr. Newton was appointed in 1752, is one of the few preferments which would not be incompatible with the Headship according to the Statute. Neither was the Studentship of Ch. Ch. which Dr. Sharpe, Newton's successor at Hertford, held while Principal, and retired to on resignation. The two Principals who followed, entirely disregarded Newton's stringent regulations: both held benefices with cure of souls.

exercises are to be looked over is carefully prescribed. There is a curious provision to ensure impartiality in dealing with defaulters:

'The Tutor, before his Pupils are summoned to Lecture, and consequently, before it be known *Who*, or whether any of them, will be Absent from it, shall always *Order* in Writing such an *Exercise* to be made by those who shall miss Lecture, as he shall think a *Proper Penalty* for this Neglect. If *None* shall be Absent, the *Order* shall remain with him till another time; if *Any*, their Names shall be written under it, and carried to the Principal, who will thereby be informed of the *Neglect*, and exact the *Penalty* incurred.'

Like the Principal, the Tutor is to visit his pupils in their rooms, and he is to 'have the same Authority over All Persons subject to him, whether as Tutor, or Officer of the House, or Subordinate Governor of the Angle in which he presides, as the Principal himself hath; and the same Deference shall be required by, and paid, to him.'

The Tutor is also to superintend the economy of his pupils; he is to direct them as to what tradesmen they employ, and not allow them to contract debts with any others;

'Nor yet with Those, without their Tutor's Knowledge and Consent; under the certain Penalty of not being able to keep any Portion of any Academical Term towards their intended Degree, from the Time of the Discovery of such Debts, till such Debts shall be truly and fully paid.'

And a new paragraph[1] denounces Expulsion against any undergraduate who contracts a debt above five shillings at any kind of public-house; and declares any tradesman to be a public enemy[2], who allows debts of any kind to be contracted contrary to this Statute. Finally, the Tutor is not to allow his pupils to 'contract any *Intimacies* with Tradesmen or their Families[3].'

[1] Not in the Statutes of 1739.

[2] 'An Enemy to the College and to the University, and an Invader of the Interest that Parents have in the Statute of the Realm, forbidding credit to be given to Minors.'

[3] This is an expansion of the University Statute *de domibus oppidanorum non frequentandis*; the particular reason for which was that such intimacies not unfrequently resulted in imprudent marriages; see Amhurst, *T. F.* xxviii. pp. 148 sqq.

But the paternal authority of the Tutor is most fully enforced in the following regulation:

'The *Quarterly Allowance* to Scholars under Tuition shall always be returned into the Hands of the Tutor, who having first discharged their Debts to the House, and afterwards those contracted agreeably to his Appointment, and with his Approbation, shall give the Remainder, or a *Portion* of it, to his said Pupils, accordingly as he shall be satisfied of their *Discretion* to manage the *Whole* of the Remainder or a *Part* of it only.'

And lest we should suppose that the *Allowance* referred to means the portion of the endowment which was to be received by every student, Dr. Newton explains in a note:

'Innumerable are the Instances of Young Scholars of the University, who, having had their *Allowances* remitted to *themselves*, have most shamefully abused the Confidence which Parents have had in their Prudence[1].'

It might be so: yet no man ever learnt to manage his affairs by having them managed for him. Dr. Newton might *enforce* economy by this method; he could hardly *teach* it, though that was the professed object of these provisions[2].

Tutors are to fine themselves for absence in Term time; but they are to be subject to no other penalties;

'Both because Persons intrusted with their *Important* Care, ought never to be supposed to be wanting in any Part of their Duty without

[1] Appendix V, *Statt.* p. 107. In the same place Newton speaks of the average allowance to an undergraduate as *fifteen pounds a Quarter* (=£60 a year). Dean Prideaux had stated that in 1675, when he was an undergraduate, the ordinary allowance was £40 a year; in 1715, when he laid his proposals before Lord Townshend (p. 308 *n.*), it had risen to £60. In both cases the allowance to a gentleman-commoner was double.

[2] Appendix IV, *Statt.* p. 105. 'Oeconomy is an Art as necessary to be Learnt, as any the University can Teach.' Some further remarks lead one to suspect that Dr. Newton's method of teaching this art was not uncommonly the cause of his pupils asking for *discessits*, so much to his annoyance. He says (l. c.): 'The luxury of Young Men of Fortune . . . and an Impatience created in Others to [follow their example] . . . and the immense Credit that will easily be given to Scholars . . . make it necessary that Societies undertaking the Education of Youth should come to a Resolution, not to Continue any Scholars, of what Quality soever, within their Walls, who will not Conform to their Rules.' He himself hopes to escape censure for not 'waiting for or depending upon the Concurrence or Assistance of Others.'

a *sufficient* Reason; and because Penalties upon *Tutors* bearing Resemblance to those inflicted upon *Others*, may tend to depreciate them in the Eyes of their Pupils, who ought to have the greatest Veneration for them.'

'And, whereas the Senior Fellows or Tutors of this Society must retire from it when they shall be of Eighteen Years standing in the University from their Matriculation, and may possibly, at such time, be unprovided of a Proper Subsistence in the Way of their Education[1], there may be Given[2] to the Society or Purchased by it, *Six Rectories* or *Vicarages*, of the Value of One hundred Pounds a Year each at the least, to any of which, as any of them shall become Vacant, the Senior Tutor not already provided with a Living, or not provided with a Living of equal Value with that which is become Vacant, shall be presented by the Principal, the sole Patron thereof, on condition he first *Vacate* the Living he already hath, and promise to *Relinquish* This also upon the acceptance of any Other Preferment.'

Here speaks the inveterate enemy of pluralities: and such is Dr. Newton's zeal in the matter, that, after ordering that a Tutorship is to be vacated within a week after institution to a cure of souls or promotion to any other dignity in the Church or secular position incompatible with residence in College, he thinks it necessary to add that institution to a *second* benefice or promotion to a *second* dignity is to make the Tutorship void *ipso facto*. A Tutor may also be dismissed after 'Admonition,' as before stated; and he is to vacate his position a year after *marriage*, if the day of marriage is certified within a week to the Principal; if not, on 'the Day on which it can be *Proved*[3].'

Section VIII. deals with the College *Offices*, which were to be held by the Tutors yearly in rotation[4].

[1] i. e. suitable for an educated man; or, for a clergyman.

[2] An instance of Dr. Newton's kind forethought for those benefactors who were unfortunately so slow in coming forward. No benefices were ever given to the College, and the College never had the means to purchase any.

[3] Concealment of marriage by Fellows bound to celibacy was by no means a thing unknown: Newton (*Univ. Ed.* p. 72 (a)) mentions a very flagrant case at Oriel.

[4] The Newtonian constitution might be represented by a kind of Orrery, in which the Principal should be the *sun* of the system: round him revolve the four tutors, passing through the successive *phases* of the four College offices, each attended by nine *satellites*, who are discharged into space at the end of every quadrennial cycle, and replaced by nine others.

The *Vice-Principal* is to act as Dean of the College: he is also to preside in the absence of the Principal, and to notify the vacancy of the headship to the proper authorities.

The *Chaplain* is 'to do All the Offices of a Parish Priest to the Society.' It is particularly laid down that 'he shall begin Prayers at the Time appointed by the Statute, without staying for the *Principal*, or any *Other* Person.' There is a further provision in which Newton anticipates a widespread feeling of modern times:

> 'No Person shall ever be *Buried* in the *Chapel*, nor shall any *Monument* be ever set up in it. But whoever *Dies* in the College, and is not removed to the *Burying-place* of his Family, nor *Desires* to be buried elsewhere, shall be Interred in the Ground adjoining the Chapel, and Consecrated together with it.'

The *Catechist* was to deliver the Sunday lectures; which, in Lent Term, were to consist of 'Instruction in the Principles of the Christian Religion.' In other Terms, they were to be devoted to 'Explaining the Articles of the Church of England; Interpreting Difficult Places of Scripture; Settling and Adjusting Controverted Points; or Resolving Cases of Conscience'; or, in short, anything else that the Principal might approve of.

The *Moderator's* duty was to arrange and preside at the Disputations.

Every Tutor was to be '*Subordinate Governour* of the Angle over which he Presides.'

Section IX. is *concerning Residence*, which was to be strictly enforced in Term-time under a penalty of one shilling for every day's absence[1], *whether with leave or without.* The Principal and Fellows are '*bona fide*' to inflict this penalty on themselves as well as upon others.

Section X. is entitled *Of Behaviour.* Dr. Newton will have no one in his College who is not either a teacher or a learner: he is particularly on his guard against 'Persons adorned with

[1] We learn from Appendix X (p. 133) that this penalty after all was never exacted. 'The Execution is deferred till Indowments shall be given to the Students, to oblige them to such residence under such penalty.'

the Degree of Master of Arts, and thereby exempted from the Ordinary Penalties.' There is, he explains in a note,

'No place in the College for a Master of Arts not a Tutor, but by the Principal's Sufferance; yet, since a Master, not a Tutor, may desire to continue in the University after he shall have taken that Degree (whether for the Opportunity of Study and Improvement, or for any Other reasonable Cause) he may, if his past Behaviour hath been acceptable to the Principal and Tutors, be continued a Member of the College[1], for so long a Time as his future Conduct, now he *Is* a Master, and especially if he be in Holy Orders, shall be as agreeable to them as it was before. For otherwise, a Master of Arts, and especially if he hath obtained of them a *Testimonium* for Holy Orders, and hath thereupon been *Ordained*, and hath no *Dependence* upon the College, and now nothing to *Fear*, is the most dangerous and offensive Member of Society that can well be imagin'd.'

Every one who intends to take Holy Orders is, as a rule, to signify his intention three years beforehand; so that the testimonial of the College may cover the whole period, and that his theological studies may be properly directed. In his Appendix[2] Dr. Newton bewails the laxity of the times in this matter:

'I could *Wish*,' he says, 'That Great Men would believe that Governours of Societies are *reasonable* creatures; that they think *properly* upon these Occasions, that, with regard to signing Testimonials, what they could *honestly* do, they *would* do without Application; that they never do, nor ever did Oppose the Just Expectations of any Candidate for Holy Orders out of *Prejudice*; and have reason to think they should do it in vain, if they should attempt it; since even the most *conscientious* Refusals of their Testimony have rarely been found sufficient to stop Ordinations.'

Amongst other provisions, Degree dinners and treats to Examiners and Collectors are strictly forbidden, nor is any one 'to accept of any Entertainment from any Proctor, or Collector, or Other Officer of the University as such[3].' No

[1] I presume this means he may be allowed to *reside*: to turn him out of the College altogether would be to turn him out of the University, a prerogative which even Dr. Newton could hardly claim against a Master of Arts.

[2] Appendix VI to *Statt.* p. 109.

[3] The Collectors were appointed by the Proctors from among the Bachelors

one is to make 'any kind of Noise in Studying or in Sleeping Hours,' which are defined to include the whole day except from noon to two, and six to nine o'clock. In dress, 'sordid negligence' on the one hand and 'foppishness and affectation' on the other are equally to be avoided. The neatness of the rooms is also insisted on, and no one is to keep a dog. Finally the University Statutes *de Vestitu et Habitu* and *de Moribus Conformandis* are made Statutes of the College. Pending appeals to the Principal or the Visitor, all injunctions, however questionable, of the Tutors or the Principal are to be obeyed on pain of expulsion.

Section XI. contains somewhat elaborate regulations *concerning the Commons.* The steward [1] was to go to market for provisions every Wednesday and Saturday, and commons were to be provided for all residents until the next Saturday or Wednesday: those who wished to 'be out of commons' were to declare their intention before the marketing was done. No student was to exceed six shillings [2] a week for commons and battells, and no Scholar four shillings and six pence. Those who did exceed were to be put out of commons until the balance of their account was redressed. Christmas and Easter Days, Whitsunday and the day of Incorporation [3]

who were to *determine*, every year. Their business was to fix the times and order of the Lenten disputations for all the determiners: it was consequently in their power to show favour to their friends. 'The statute indeed forbids the collectors to receive any presents, or to give any treats; but the common practice is known to be directly against the statute; every determiner (that can afford it) values himself upon presenting one of the collectors with a broad piece or half a broad; and Mr. Collector in return entertains his benefactors with a good supper, and as much wine as they can drink, besides gracious days and commodious schools.' Amhurst, *T. F.* xlii. p. 224, who explains in the same place that certain days are called *gracious*, 'because upon them the respondent is not obliged to stay in the schools above half the time, which respondents upon other days are; and some of the *schools* are esteemed better than other, because more *private*.' As long as the disputants were not *interrupted*, there was no need for them to dispute at all.

[1] Dr. Newton omits to specify who the Steward was to be, though he says a great deal about his duties. From the scheme of 1720 (p. 26) we may conclude he was a B.A.: he was appointed by the Principal (*Statt.* p. 69) and his office was weekly (p. 80).

[2] 7*s.* 6*d.* in the Statutes of 1739.

[3] In the Statutes of 1739 the Day of the Visitation, which Dr. Newton wished to be *annual*, is added. By 1747 he had probably found it was vain to hope for an annual visit from the Chancellor.

(September 8th) were to be kept as festivals at the expense of all the members of the College, present and absent, though the additional charge to each person was not to exceed eighteen pence. Nothing but commons was to be cooked in the College kitchen except for the Principal.

'The *Meat* to be provided for *Commons* shall be, in the general, of the *Ordinary* Kind; the *Best* of the Kind; in *Quantity* within a *Pound* to a Man[1]; in *Value* not exceeding *Three-pence*; or the House to be charged with the Excess; of the *Same* sort for the same Meal; of *Different* Sorts for the Two Meals of the same Day. This shall be dressed in the plainest and most wholesome Manner, and, as far as conveniently it may, be sent up to the several Tables[2] in Joints *Undivided*.'

The custom, it seems, was to set the joint before the senior at each table; he helped himself and passed it on. The practice did not work very well, since Newton has to provide as follows:

'If any Senior help himself to a *Larger* portion of the Joint than is Reasonable, or in an *Unhandsome* Manner, any Junior at the Table may demand to have the Commons sent up in *Messes*; when the Senior of the Table, choosing which Mess he will be at, shall determine his Three immediate Juniors to the same; and when also the Junior of each Mess may *Divide* the Mess, if he pleases.'

And he descants at length on the same abuse in his Appendix[3]:

'I have seen, where *Twenty* have sat at the same Table, that the *Upper* Ten, out of what hath been set before them, have provided for themselves so *Plentifully* and so *Curiously* that to the *Lower* Ten either *Nothing* or Nothing *Acceptable* hath descended. Whether the Upper Ten, in the very place where good *Learning* and good *Manners* are professed to be taught, had not yet learnt what is *Reasonable* or *Decent*; or whether the Governour had not the Diligence or Courage to compell them to *Regard* it, I cannot tell: But the Consequence

[1] 'Not exceeding Two Pound to Three Men,' *Statt.* 1739.

[2] We learn from the Statutes of 1739 (p. 24) that there were four: the high table, the Junior Fellows' table, and the Senior and Junior Students' tables.

[3] Appendix VIII to *Statt.* p. 114. Dr. Newton seems here to be relating his own experiences as an undergraduate at Ch. Ch.

hath been, that the Ten Juniors have dined abroad in Public-Houses, at four times the *Expence*, attended with *Other* Inconveniences.'

He proceeds to state the ordinary defence of the practice:

'But the Commons, it may be said, being of so small a Value as *Three-halfpence*[1] in the market, and afterwards much lessen'd by a Defalcation of the Cook's Fees from every Joint, the Junior is *presumed* to be *consenting*, that the Senior should have his Commons, whilst he is a Junior,' with the prospect of 'making himself amends, when he comes to be a Senior.' But Dr. Newton thinks that 'it is not Natural for a Man to *Consent* to his Own *Sufferings*,' and the natural and proper remedy is an increase in the value of the commons, so that what 'was too Little for Any One, might be increased to a Sufficiency for Every One.'

Accordingly Newton, as we have seen, fixed threepence as the value of his commons: it is strange and unfortunate that he should have fixed it by Statute at all, in view of the fact 'that Men's *Appetites* are the same now, that they were 200 Years ago; and that, 200 Years ago, more Meat might have been bought for *Three-halfpence*, than can now for *Threepence*[2].' This he saw plainly enough, but he could not see that a time might come when the quantity of meat ('the Best of the kind') to be got for *threepence* would be insignificant. However, for the time, threepence was a liberal allowance.

No undergraduate may entertain 'Strangers not living in the University' in his own rooms, but with leave he may 'Entertain them with a Commons in the Public Refectory; not with a Costly Dish of Meat, with sufficient Folly and Affectation called a Commons[3], but with a Commons of the same kind and Value with his own.'

[1] This, it seems, was the *average* allowance, taking one College with another. At Queen's it was 2*d.* in 1748, with some 'liberty to exceed.' So I learn from a broadsheet entitled, 'The Case of Queen's College, Oxford, in regard to some late Irregularities of several of its Younger Members,' May 24, 1748. There was then a strike against boiled meat.

[2] l. c. p. 115.

[3] This suggests that in *some* Colleges you could get, say, a 'Commons' of ortolans.

There is a curious provision for the remuneration of the steward, who was, by the way, to make out a bill of fare for his week of office, and submit it to the Principal before going (with the cook) to market[1]:

'The Principal . . . shall, at the End of the Week, read to [the Steward] the Statutes relating to his Office, and enquire of him whether he hath carefully observed the same. And, receiving an Answer to his Satisfaction, shall sign him a *Debentur* of *One Penny* from each Member of the Society (not including the Scholars) whether *Present* or *Absent*, to be paid him at the End of the Quarter. Or, not receiving a satisfactory Answer, shall Divert the said Allowance for that Week into the Publick Stock.'

Dinner was to be at one o'clock, supper at seven[2].

Section XII. deals with the Rooms. Each Tutor was to have the central set in his Angle rent free, and the 'Double Garret,' which was to be divided between his servant and the Scholar of his year.

The rent of the other rooms was, as has been stated, the income of the Principal. The rest of the section contains provisions for the valuation of furniture, and like matters.

Section XIII. enumerates the duties of the *Scholars*. They are no longer *Servitors*, and consequently are not bound to wait at table in Hall, as they were by the Statutes of 1739. But they are to 'summon the Society to *Prayers*, to *Meals*, to *Disputations*, to Public and Private *Lectures*[3]; and shall bring a Note to the Principal of the *Absent* Students from every Place of Duty.'

'They shall also in their turns, be *Officers* of the *Gate*.' That is to say, the Scholar, whose turn it was, had to attend at the College gate from nine o'clock, when the gate was closed, until ten. Within that hour he was to open the gate to late

[1] See above, p. 323.

[2] In this Dr. Newton showed himself willing to go with the times. In the Statutes of 1720 *Eleven* and *Six* are the hours prescribed, in those of 1739, *Twelve* and *Six*. But having seen how variable the hours of meals were, why should he have fixed them by statute at all?

[3] *How* they were to do this does not appear; Amhurst (*T. F.* xli. p. 217) speaks of the servitor calling the men in the morning; but this is specified in sect. xiv. as the duty of the bedmakers in Hertford College.

comers; at ten o'clock he was to take the key to the Principal, and the gate was finally shut until the next morning.

Of all his reforms, this was perhaps the dearest to Newton's heart. Some of his friends had objected to it, 'as a Rule that might be attended with worse *Consequences* than even the Permitting the Gate to be *Openable* every Hour of the Night.' So indeed it might, at the present time; but we must remember how much earlier were the habits of 1747 than those of our own day; that the constant snuffing of candles was an inseparable accident of sitting up after dark; that in all probability the streets of Oxford, ill-paved and ill-lighted, were practically deserted after ten o'clock, except for 'strayed revellers' going home to their Colleges; and that nocturnal revelry was just what Dr. Newton wished to put down.

In his Appendix[1], where he discourses at great length on the subject, he points out that the University Statute says nothing of the College gate being opened after it is once shut at nine o'clock; that by the Aularian statute the key is to be taken to the Principal at that hour; and that the statutes of Colleges all prescribe the final closing of the gate at ten: only they generally add, 'unless it be upon a very extraordinary occasion.' It is this proviso, Newton says, that has done the mischief; 'the Exception hath destroyed the Rule.' Let the rule be enforced, and it will be found that it will be cheerfully obeyed.

'During the Time I was myself of *Another* College[2], I observed, that when, for one while, the Scholar might come in at *Any* Hour of the Night, he took the *Liberty* he had to do so very freely; and a Shilling to the Porter secured him from all further Harm: And when, for another while, the Gate of the *Same* College was shut up *finally* at *Eleven*, the very Same People who used to come in before at *Twelve*, or *One*, or sometimes later, would now, infallibly, be time enough at the Gate to be admitted by *Eleven*. In like manner, when, in *this* College, the Gate was shut up *finally* at *Eleven*, as once it was, the Bottlemen would apply to be let in just before *Eleven*: And,

[1] Appendix IX to *Statt.* pp. 118–132.

[2] Christ Church. The fact recorded of the gate being 'openable' all night under Dean Aldrich (1689–1711) shows the prevailing laxity. One of Conybeare's first reforms at Ch. Ch. was to have it shut at nine. Hearne, March 8, 1733.

when that Hour was changed, and the Gate began to be shut up *finally* at *Ten*, the same sort of Men would constantly knock to be Admitted just before *Ten*. For, in all the Variety of Company I have occasionally mix'd with, from the Time I became a Member of the University to this Day, I never yet met with a Man, who did not shew a *Reluctance* to the Lying out of his Own Bed[1].'

'Let not any one say, The *Times* will not bear Conformity to Pious Founders' Institutions. Who are to *make* the Times, but the *Universities*. There never can be a time, when a Man may not be a regular, sober, virtuous, and religious Man, if he Pleases[2].'

Then again the quiet of the College demands early closing:

'And what is to become of the poor Governour of the College, who may be *Aged* and *Infirm*, and yet think it his Duty to meet his Society at the early Prayers, whilst Health and Strength permit? Is he, every Night, by *Midnight* Knockings at the Gate, to be waked out of his *Sleep*, who, perhaps once waked and ruffled with the unnecessary Disturbance given at home, and with an Apprehension of Disorders committed abroad by his Own Intemperate and Irregular Scholars, can Sleep no more? Or, lest He should, may the Officer *intrude* into his Chamber first at one late Hour, and then at another, to fetch the *Key* from his Bedside for their Admission? If this be so, a Governour of a College is in a much worse Condition than any *Other* Master of a Family[3].

'And lastly, What becomes of the College Porter? Or rather, as it should seem, Who cares a Farthing what becomes of him? But still, in a Christian Country, and especially in Colleges erected for Promoting *Religion* and *Moral* Virtue, a regard is to be had to the Happiness of the poorest Creature upon Earth; and tho' All cannot be made equally Happy in their Situations, yet every Condition of Life that can be made Easier, ought to be so. But, if this poor coughing Wretch must be raised out of his Bed, at every Hour of the Night, to answer to the unseasonable Knockings at the Gate of dissolute Men, who consider only what is agreeable to Themselves, and not what Others suffer, there is not a greater Slave in Turkey than a College Porter; and I pronounce that *He*, or his *Deputy*, shall die a Death immature[4].'

[1] Pp. 126, sq.
[2] P. 129.
[3] P. 130.
[4] P. 131.

But in Hertford College there was apparently to be no porter; the office being discharged by the Scholars in their turn; and they at any rate were not to be kept up all night. So if any one was out after 'Ten, by the *Latest* Clock within the Hearing of the Officer,' Dr. Newton preferred that he should go to an inn [1], rather than disturb the College.

The Scholars were to be remunerated for their services by a charge of a penny a week to 'every member of the Society, whether Present or Absent;' and they were to receive half the fines for absences from Chapel and Hall.

Section XIV. deals with the College Servants: they were to be the *Principal's Clerk* or *Secretary*, whose duties were those of a Bursary Clerk, the *Butler* and the *Cook*. It is stated that these three 'shall be considered as the Principal's *Domestick* Servants [2]; and shall Each of them, for their respective *Services* to the Society, be Intitled to 4d a Week from every Member of it (except the Scholars) and be Allowed no *Other* kind of *Fee*, *Perquisite*, or *Profit*.' Besides these were four *Bed-makers*, one for each Angle. In addition to their ordinary duties, they were to take weekly turns of duty at the College gate during the daytime.

Section XV. deals with the *College Stock*. The revenues of the College were never to be applied to the increase of the endowments; but they might be devoted to the payment of College debts, repair of buildings, College prizes [3], the purchase of the six advowsons before mentioned, pensions to old members of the College reduced to poverty through misfortune [4], or the relief of 'Four poor Housekeepers' of the parish.

Whence the revenues thus to be applied were to arise, is

[1] Newton supposes that the Proctor has no power to send a man back to his College after the Gate is shut; but, finding an undergraduate out after nine, he would, if he were disposed to be lenient, send him to an inn; if not, to the University prison: p. 119.

[2] Subject, that is, to the performance of certain *definite* services in *stated* hours, to the College in general.

[3] Including 'the respectful Acknowledgement of Merit in Persons formerly of the College,' who have in any way been a credit to it.

[4] A register was to be kept in which the subsequent career of old members might be traced.

not stated[1]. But Dr. Newton's trust in the future of his foundation reaches a height of infatuation which is really sublime:

'The Principal and Tutors, in disposing of the College Stock, shall . . . studiously pursue the *Good* that is before them, without the least Apprehension of any Demand upon them from the *Future Necessities* of the Society; nothing doubting, but that if, at any time, the College should be consumed by *Fire*, or destroyed by any *Other* Accident, . . . a Society, which, upon so many Occasions, shall have been ready to *Distribute* to Others, will, in a Case so deplorable, find sufficient *Assistance* from Others.'

In *Section XVI.*, entitled *Of Penalties*, it is provided that penalties for violation of any of the Statutes shall be constant, in order to secure impartiality, and 'to take away all Hope of Impunity from the Person Offending.' In an Appendix[2] Dr. Newton defends pecuniary penalties against impositions. The latter, he points out, are generally written for hire, and, as often as not, come to a larger pecuniary penalty than would be imposed directly as a fine.

Section XVII. provides for the Statutes being publicly read on the first day of every Term, 'until they shall be made Public[3]': for the power of the first Principal to make alterations in them[4], and for the preservation of three copies of them in the custody of the Visitor, the Principal, and the College. At the first Principal's death, at latest, the Statutes were to be printed and published with such alterations as had been made.

Section XVIII. is *Of the Visitor*. Dr. Newton is anxious that the Visitor should from time to time visit the College of his own accord, without waiting to be appealed to.

'And, Whereas the Chancellors of the University of Oxford for

[1] It must be remembered that the College had no income from external sources; and the ordinary internal revenue was mostly allotted to specific purposes, as, e.g. the room-rent to the Principal. Profits of the kitchen and fines appear to be the only sources whence the Stock could be increased.

[2] Appendix X to *Statt.* pp. 133–135.

[3] This clause appears for the first time in the published Statutes of 1747. It virtually repeals the provision for reading the Statutes, since they were made public at the same time that the clause was added.

[4] See above, p. 308.

the time being, have, for above these Four Hundred Years, been successively the Visitors of Hart Hall within the said University, I do here, upon Erecting the same into a College, Invite, Intreat, and Supplicate, first, the right honourable Charles Earl of Arran our present very Worthy and much Honour'd Lord and Chancellor, and, afterwards, his Successors in that Office for ever, to continue to Protect the Society, and to be the Perpetual Visitors thereof. And I here most earnestly beseech both Him and Them severally and successively, in the Name of God, and as they Value the Peace and Prosperity of this College, and the Public Good, so far as Scholars here Educated in strict Sobriety and Diligence, and from hence transplanted into many Parts of the Kingdom, may contribute to it, *Annually* to exercise the Power with which they are for these great Ends intrusted by this Statute.'

Such were the Statutes drawn up by Dr. Newton for his College. But Statutes which are given to the world 'with Observations on particular Parts of them shewing the *Reasonableness* thereof[1]' are, on the face of them, mere essays in legislation. In the legal constitution of Hertford College there was indeed little that required definition. The Charter for the incorporation of Hart Hall was practically a Charter for the incorporation of Dr. Richard Newton. While the absolute power of Heads of Houses was generally thought to need modification, Newton, by reserving to himself the right of choosing and dismissing the Fellows of his College at pleasure, made his own headship the most absolute in the University. In this at any rate he was no reformer. Nor can he be credited with the least degree of that foresight which is necessary for a reformer whose reforms are to be permanent. His aim was to restore the ancient discipline of the University; and he framed his Statutes chiefly for the purpose of enforcing such parts of it as had fallen into disuse. He had found his regulations successful in his government of Hart Hall: let them be made permanent, and they would, he thought, be successful for all time. While he reserved to himself the power of altering his Statutes during his lifetime, he deliberately rejected the provision in the original draft

[1] *Statt.* 1747, Title.

Charter of 1725, which allowed a similar liberty to his successors[1].

This provision, had Dr. Newton allowed it to stand, though indeed it was none of his making[2], might have saved his own character as a reformer, and his College from the fate that befell it[3]. It was precisely because Colleges were so generally bound, under the sanction of an oath, to Statutes which could not be obeyed, that a Visitation of the University was demanded. To the uninitiated it might seem, as it did to Amhurst's freshman, that Oxford was 'the most perjured town of the nation[4]': but, perjury or no perjury, obsolete Statutes were in fact disobeyed[5], and disregard of some regulations did not lead to the better observance of the rest, however suitable to the times[6]. But Newton, though he could see plainly enough the evils that resulted from these conditions, and though he very properly abolished the oath in his own College, was under no apprehension that *his* Statutes would ever be found antiquated or inconvenient: so he left the College at his death bound, as far as he could bind it, by a body of laws, in which the manner of conducting a lecture and looking over a copy of prose was minutely and irrevocably prescribed. Had he been content to relegate the greater

[1] See Correspondence in Appendix II, p. 352.

[2] The reservation to the *first* Principal *only* of the right to alter the Statutes appears in the original Scheme of 1720 (p. 34). Whoever had the drafting of the Charter is therefore responsible for the attempt to extend it to his successors.

[3] The College was eventually dissolved, because there was no one statutably qualified and willing to accept the headship: which had nevertheless to be filled up, according to Statute, within a certain time after it became vacant.

[4] Amhurst, *T. F.* xlii. p. 218.

[5] Even on occasion by Dr. Newton himself. It was all very well for him to talk (see above, p. 290) of the University having laid him under an oath to observe and enforce its Statutes: yet he tells us without the slightest compunction that it had been his practice at Hart Hall to have the gate closed, first at *eleven*, then at *ten*: whereas the Aularian Statute plainly orders the key to be taken to the Principal immediately after *nine*. And it is on this occasion that he exclaims, as quoted above (p. 328), 'Let not any one say, The *Times* will not bear Conformity to Pious Founders' Institutions.'

[6] Amhurst recurs constantly to this subject. See *T. F.* xxx. p. 163, where an instance is given of a 'dispensation,' meaning simply an engagement of the governing body to take no notice of a violation of their Statute. In this case the Statute dispensed with was one requiring a Fellow, who wished to be Proctor, to proceed in divinity, and the dispensation was by a special provision irregular, as well as quite gratuitous.

part of his Statutes to their proper position as by-laws, the direction which his personal influence and energy had given to the studies and discipline of the College might long have survived him: but unfortunately, while his confidence in his own legislation was unbounded, he put no trust at all in the good sense and good intentions of his successors.

It cannot justly be made a reproach to Dr. Newton that his educational reforms were as limited in scope as they were: he had power to make Statutes for his College, he had none to legislate for the University; and as long as the University required no more than a series of farcical disputations to qualify for its degrees, all that any single Head could do was to make sure that the disputations of his own men should not be a farce. His provision that every undergraduate should have one tutor throughout his career and a claim on as much as one-ninth of that tutor's available time was admirable; and certainly, under his Statutes, no undergraduate could have been idle in Hertford College, though more freedom might have been allowed the College to arrange how his time should be spent. In the matter of discipline, if, in contending for the strict enforcement of the University Statutes, Newton was aiming, as Hearne says, at things impossible, he had at least the courage of his opinions; and his interpretation [1] of the two Statutes *de vestitu* and *de moribus*, which he had made in a special manner Statutes of his College, is designed not only to revive the most obsolete provisions [2], but even to extend their application.

Out of the first of these Statutes Dr. Newton extracts quite a philosophy of clothes:

'The Wearing a Gown supposes the *Pursuit* or *Attainment* of useful and manly Knowledge, the very End of coming to the University. All *Gaiety* of Dress, whether in the *Colours* of the Cloth, or the *Lacings* or *Imbroideries* of the Suit, shews the Mind of the Wearer

[1] Appended to the Statute-book of 1747, pp. 136–159.

[2] We may take Amhurst's word for it that the Statute *de vestitu*, except as far as academical dress went, was totally disregarded: and of large sections of the Statute *de moribus* (some of them greatly admired by Newton) he says, 'I am at a loss to determine whether the observation of these Statutes is more neglected than they are unreasonable.' *T. F.* xlvii. pp. 251–253.

to be greatly pleased with the Pomp and Splendour of his External Appearance, even to a Degree, to make him choose to forego the Advantage of the good Opinion of sensible well-bred Men, and to Venture, even in the Company of Men skill'd in *Propriety*, to do a thing that is *Absurd*. There is not the same Exception to *Fine Cloaths* upon particular *Occasions* in *Other* Places as there is in *This*. In *Other* Places, and upon Occasions of *important Joy*, when it will be but *Civil* to let it appear one is somewhat out of one's Senses with the Excess of it[1], Fine Cloaths are *praised*: for the Intention is to shew *Respect*, which is usually estimated by *Expence*. In *This* Place, and during the Time of Education, the Intention is to form the Mind to think rightly of every thing it observes, to prevent its being depress'd or elevated unreasonably by *Appearances*, and to teach it to put a *Value* upon that only which is *really* valuable[2].'

But in spite of Newton's admonitions, it may be feared that the clergy continued to follow the 'Affected and Newfangled' fashion of wearing blue[3]; and the 'Sons of the Nobility' to 'expose themselves in a *Green* Gold-laced Waistcoat and *Red* Breeches, and in a *Black* Wig one Day and a *White* One another[4].'

In the Statute *de moribus conformandis* Dr. Newton chooses for special approval the sections dealing with Respect, with Taverns, with Gambling, with Sport, and with Stage Players. There is little in his comments on these matters that calls for notice, except that he would extend the scope of the first-mentioned section so far as to desire that every undergraduate shall take off his cap to all well-dressed strangers he meets in Oxford[5]; while he would have the same undergraduate use

[1] Cf. Hor. c. ii. 7, 'recepto Dulce mihi *furere* est amico.' [2] pp. 138 sq.

[3] Though indeed they might be deterred by his remark, 'a Blue Coat, Waistcoat, Breeches, and Stockings, often worn by Others of the Clergy (whilst the *Graver* Men of the Order still wear Black), is a Dress so near a Common *Livery*, that it doth not distinguish them from *Footmen*.' *Statt.* p. 138.

[4] *Ibid.* Fashion in Oxford extended to the academical dress. Amhurst (*T. F.* xlvi. p. 245) describes the Oxford 'smart' rustling in a 'stiff silk gown,' and a 'square cap of above twice the usual size.' For the latter a 'broad bully cock'd hat' was sometimes substituted, which, if worn by a Master of Arts, would disentitle him, in Newton's opinion, to any mark of respect; *Statt.* p. 145. No one thought of appearing without a *gown*.

[5] On the ground that, if he did not know them himself, he might be acquainted with some of their acquaintance: or they might, for all he knew, be of the kin of a Founder of a College! *Statt.* pp. 146 sq.

the greatest caution in showing this mark of respect to a Bachelor of Civil Law, the presumption being that this degree has been taken for the nefarious purpose of qualifying for holding a plurality of benefices.

Dr. Newton's book on this last subject had been published four years before, and had gone through two editions. *Pluralities Indefensible* is altogether the best of Newton's works. That it was without effect on the Legislature, to which it was addressed[1], was inevitable. Dean Prideaux, Newton's leader in the attack on pluralities, had in 1691 drafted a bill for reform; but, even with the support of the Earl of Nottingham and Bishop Burnet, the movement had come to nothing: and in 1743 the chances of reform in the Church were as slight as in the Universities. But at least Dr. Newton's book kept the agitation alive; at least it furnished public opinion[2] on the subject with an admirably lucid statement, drawn from past history and present experience, of the case against the worst abuse then existing in the Church of England. And it is gratifying to learn that the book was not without influence in high places:

'Soon after the Publication of this Piece the then Earl of Northampton being applied to in behalf of a Person for a Scarf[3], for the usual Purpose of enabling him to hold two Livings, replied, "I have no *Scarf* to give him, but I will give him a *Book*," meaning this[4].'

Qualifications for holding pluralities were still regulated by the Statute of 21 Hen. VIII, which Newton vigorously attacks:

'I don't like One *Line* of it. And, I flatter myself, when I shall have Descanted upon it a little, I shall not be Alone in my Utter

[1] The title is 'Pluralities Indefensible. A Treatise Humbly Offered to the Consideration of the Parliament of Great Britain. By a Presbyter of the Church of England. Denique sit finis Quaerendi. Hor.'

[2] Or perhaps one should say *private* opinion: 'There is scarce, I believe, a Member of Either House of Parliament, who, in private Conversation, hath not Condemned Pluralities: And yet the Act inabling to Purchase Dispensation to hold Two Benefices with Cure of Souls is not Repealed.' *Plur. Ind.* Pref. ix.

[3] i. e. to make him his chaplain.

[4] MS. note in Hertf. Coll. copy of the book, probably written by J. Sanders, one of Newton's original Fellows, and his successor at Sudborough. 'This story,' he adds, 'I heard ye Author tell.'

Dislike of it. I say, I don't like *One Line* of it. There are several *Lines* in it, that *Condemn* Pluralities in general. What, do not I like *those*? No. I do not like even *those*, for the *Hypocrisy* there is in them. For they do not Mean the Thing which they Pretend, any more than the Constitution of the Fourth Lateran Council, on the Model of which this Act of Parliament was Founded[1].'

By this Statute, noblemen's chaplains and graduates in Divinity and *Canon* Law were the persons qualified for receiving dispensations[2]. Now, while a Cambridge graduate in *Laws* was qualified under the Statute, an Oxford graduate in Civil Law only[3] clearly was not; yet his claim had been by custom recognized by the Archbishops of Canterbury[4], to whom the dispensing power was entrusted. Add to this that by 'putting on the civil law gown' all exercises for degrees in Arts were evaded, and that the civil law degree could be obtained merely by keeping some additional terms; and it is easy to understand Dr. Newton's animosity against the average B.C.L. After the example of Dean Aldrich, he refused to permit the civilian's gown to be worn in Hertford College except by *bona fide* students of civil law[5]: and though experience had taught him that a *discessit*, sought for for the purpose of wearing the obnoxious gown elsewhere, could not be unreasonably refused, he had also learnt to express his disapproval by the form in which the *discessit* was given:

'Liceat G. C. Commensali e C. H. qui bene se gessit, quamdiu

[1] *Plur. Ind.* pp. 115 sq.

[2] As Newton sarcastically puts it, it is among these persons that you must look for uncommon ecclesiastical merit, 'if you will find it at all . . . for it is not anywhere else to be found; and, if you think you discern it anywhere else, you are mistaken. For if you read the Resolution . . . of the 21st of H. 8, who was as Infallible as the Pope himself, you will find it to be just as I say.' *Plur. Ind.* p. 166. The Constitution he quotes of the Fourth Lateran Council had qualified 'sublimes et litteratas personas' for dispensations, the Pope being the judge of sublimity and learning.

[3] The teaching of Canon Law having been (subsequently to the Statute) forbidden at Oxford by Henry VIII. It is noticeable that according to the Charter (q. v. Append. III) Hertford College is declared, no doubt through inadvertence, to be incorporated for the study of, *inter alia*, Civil *and Canon Law*.

[4] That Oxford law graduates were not quite satisfied with their position is shown by their constant attempts, especially throughout the eighteenth century, to describe themselves as graduates in *Laws*.

[5] Aldrich had stigmatized it, as commonly worn, as 'the Idle Gown.'

apud Nos commoratus est, istam in quavis alia Domo veniam quaerere, quae negatur in Sua; nempe, ut cum *Sacris Litteris* REVERA incumbat unice, *Juri Civili,* Statutis Academiae elusis, studere VIDEATUR[1].'

As long as Newton lived, he governed the College in the spirit, if not according to the letter, of his Statutes. He administered them with the free hand of a man whose right to alter them was unquestioned. The despotism of the Statutes was tempered by the arbitrary power of the Founder. In the last year of his life we find him summarily dismissing a recently appointed Tutor, on discovering that he was a reader, without disapproval, of the works of the eccentric Hutchinson[2]. On the unfortunate tutor's asking how he should explain his dismissal from 'an office to which he had been statutably appointed,' Dr. Newton replied:

'You may say, Mr. Comings, that you are an Hutchinsonian, and that the Principal does not love any of the party: and further than this, was you to be admitted again a member of the University, and came with these principles, I would not even take you into my house. If this, says he, will not satisfy the world, I am very easy, whether they are satisfied or not[3].'

Shortly before this event, Newton's labours for the Church and the University had been tardily rewarded by a Canonry in Christ Church[4]. Perhaps the preferment was rather an acknowledgement of his having been tutor to Henry Pelham, now Prime Minister. It is related that on the occasion of the vacancy a friend expressed to Pelham his surprise that he had done nothing for his old tutor. The Minister replied, 'Why, how could I? he never asked me.' It was indeed as

[1] *Plur. Ind.* p. 188. It is noticeable that while the bearer of this *discessit* was refused at Oriel—where they had good reason to know Dr. Newton's views on the subject of *discessits*—he was accepted by the Master of University (whom Dr. Newton had done his best to exclude from the Mastership). *Ibid.* p. 190 *n.*

[2] John Hutchinson (1674–1737), a fantastic interpreter of Scripture, who may perhaps claim the discredit of having started the antagonism of religion and science. He wrote, amongst other works, MOSES' *Principia*, in opposition to NEWTON'S.

[3] 'The State of the Case between Dr. Newton, Principal, and Mr. Comings, A.M. of Hertford College, Oxford,' a printed sheet drawn up by Comings, April 5, 1753.

[4] December 23, 1752. He was installed on January 5 following. It is to be hoped he was reconciled to his old enemy Conybeare, who was still Dean.

characteristic of a minister of the period to expect to be asked, as it was of Newton not to ask for favours. All through the long controversy about the foundation of the College, Newton made no use, such as ninety-nine out of a hundred would have made, of so powerful a friend at Court as the Duke of Newcastle, though the kindly tone of Henry Pelham's letter to his brother shows that he might have found support in that quarter had he been willing to claim it. But Newton, on the contrary, was anxious only not to embarrass his friends:

'Remember,' he wrote to Henry Pelham, 'what I have always told you, that I do not desire you should do anything for me, which you, who have a very good Judgment, shall think it improper for you to concern yourself in, or to which you shall have the least Reluctance. For I love you very disinterestedly, having no One End in the World to serve, which not being served, can so much as disturb the Tranquillity, much less abate the Affection of

Your etc.[1]'

So he was able to write to the Bishop of Exeter:

'For the obtaining Charters of the Crown there is a certain Method of Proceeding prescribed to the Subject . . . . My Lord, I proceed in this Method. I take no New or Unusual Step to accomplish my Design[2].'

He was no doubt true to his principles. Still it is probable that the regular 'method of proceeding prescribed to the subject' would scarcely have availed, without the aid of the Pelhams, to procure him his Charter even with a delay of fifteen years.

On Easter Eve, April 21, 1753, Dr. Newton died, almost suddenly, at his house at Lavendon. He had forbidden monuments to be set up in his College chapel; but the memorial erected to him in Lavendon Church, where he was buried, still records his foundation of a College in his 'favourite seminary' of Hart Hall. Even while Hertford College survived, its Founder was forgotten. In 1783 a writer in the *Gentleman's Magazine*[3] informs his readers that

[1] January 24, 1726, quoted in *Grounds*, c. iii. p. 13.
[2] Letter II, May 11, 1727, in *Letter to Dr. Holmes*, p. 12.
[3] 1783, p. 667.

'Dr. Newton, author of *Pluralities Indefensible*, was *of one of the new Colleges, either Worcester or Hertford, and died about fourteen years since*[1].' But among his personal friends, Newton's memory was cherished. There is an agreeable notice of him taken by Nichols from the papers of John Jones of Welwyn[2], from which it appears that he was one of the earliest promoters, if not the inventor, of the reading party:

'He usually made excursions in the long vacations into various parts of the kingdom, most commonly taking with him for company and improvement one or more young gentlemen of fortune in his College, at the request and with the approbation of their parents. He was himself in every respect a gentleman, and a man of refined good breeding. You might see this in every part of his conversation. At evening, upon such journeys, he would a little before bedtime desire his young pupils to indulge him in a short vacation of about half-an-hour for his own private recollections. During that little interval they were silent, and he would smoke his pipe with great composure, and then chat with them again in an useful manner for a short space, and, bidding them good night, go to his rest[3].'

With the exception of some things which were actually in preparation for the press, Newton ordered all his writings to be destroyed; and his widow[4], as Jones informs us, 'was a conscientious person.'

It is a familiar statement that Hertford College was dissolved in 1805 on account of the insufficiency of the endowments: yet neither is the date, nor yet the reason, assigned for the dissolution quite in accordance with the facts. If the endowments *had* been sufficient for the carrying out of Newton's design, the Statutes would probably have killed the College long before 1805. As it was, it was through the insufficiency of the endowment that, even in Dr. Newton's

[1] A friend of Newton's, however, came forward with a more correct account of him, *ibid.* p. 992.

[2] John Jones (1700–1770), for many years curate of Welwyn, Herts.

[3] Nichols, *Lit. Anecd.* v. pp. 708 sqq.

[4] This was Newton's second wife, daughter of Sir Willoughby Hickman, Bt. She died in 1781. By his first wife he had an only daughter, who married Rev. Knightley Adams: their son edited the collected volume of his grandfather's sermons in 1784.

time, a great part of the Statutes was necessarily in abeyance; and it is probable that under his successors most of the regulations concerning internal discipline and study became inoperative. Benefactions slowly came in, but they were not applied according to the Founder's directions, so that fifty years after Newton's death, the College had a larger endowment and more practical freedom to use it than Newton had left to it[1]. It must be remembered that Dr. Newton's foundation was *not* intended for poor scholars[2]: and there seems to have been a sufficient number of those 'young gentlemen of fortune,' who were the Founder's vacation companions, to maintain the College. There is therefore nothing surprising in finding Hertford chosen as the College for Charles James Fox in 1764: though it would surprise us to be assured that Fox's quarterly allowance was 'always returned into the hands of the Tutor.' Probably it was an attraction of Hertford College that the distinction there between gentleman-commoners and other undergraduates was less marked than elsewhere.

But however in internal matters the College might, whether from choice or necessity, disregard its Statutes, those regulating its external relations remained in full force. Not only so, but Dr. Newton, when he published his revised Statutes in 1747, omitted to take the precaution, which he had himself made obligatory, of procuring the approbation of the Visitor and the Crown to the alterations he had made. So that, in law, the Statutes of 1739 were still in force at the time of his death.

The fact indeed for a time escaped notice. William Sharpe, Newton's successor, was in every way qualified for the headship: he was duly nominated and lawfully admitted. But when, 'discontented with the fortune of the College[3],' he resigned in 1757, the Chancellor nominated, and the Dean of Christ Church admitted without protest, David Durell, a

[1] At the time of the dissolution, the College had a funded capital of £2,900, the income of which they seem to have been at liberty to dispose of as they pleased.

[2] See above, p. 285 *n.*: and cf. *Plur. Ind.*, pp. 334 sqq.

[3] Gutch's *Colleges*, p. 647. Dr. Sharpe was afterwards Regius Professor of Greek, 1763–82.

Fellow of the College[1], and so far qualified for the headship under the Statutes of 1747, but without any qualification under those of 1739, which limited the office absolutely to Westminster students of Christ Church. Dr. Durell's headship was indeed the most flourishing period of the College, and his early death in 1775, at the age of forty-seven, was a serious loss to it. Under his successor, Bernard Hodgson, who had the full statutory qualification, the College ceased to prosper, though it did not rapidly decline.

By the time of Dr. Hodgson's death in 1805, the fellowships had been reduced to two: there had been a revival of some of the Junior Fellowships, which Dr. Newton had left entirely unendowed; the funds of the College were now sufficient to provide an annuity of £3 15*s.* to each 'Assistant.' But it was difficult to find a duly qualified person to accept the post of Principal, and the Chancellor, Lord Grenville, either not knowing or disregarding the Statutes, nominated Henry Phillpotts, afterwards to become famous as Bishop of Exeter. The Dean of Christ Church, Dr. Cyril Jackson, objected; and Phillpotts made no difficulty about renouncing his claims to a preferment which had so little attraction. Phillpotts indeed had no right whatever under any Statutes to the nomination: but the Dean, to whom the appointment lapsed, was unable to get any qualified Student, if any existed[2], of his own house to accept it. Under the Statutes of 1747, Fellows of Hertford were eligible; but it so happened that of the two Fellows then existing, one[3] was below standing for the headship, and the other was impossible. Richard Hewitt was a man of some ability, but scarcely sane[4]: and

[1] Previously of Pembroke College.

[2] The field was extremely limited. *Statt.* 1739, sec. 4, p. 6, provides that the Principal shall be a Westminster Student of Ch. Ch. in priest's orders, who has acted as a Tutor: he must be M.A. but not above standing for D.D., i.e. must not have passed the earliest date at which he could have taken that degree.

[3] James Carpenter, who had been admitted Fellow and taken his M.A. degree only a few weeks before Dr. Hodgson's death.

[4] As is sufficiently clear from his curious letters, now in the Bodleian (MS. Eng. misc. d. 9). They are addressed to Dr. Collier Jones, Rector of Exeter, during his Vice-Chancellorship, 1828–32, and contain a good deal of curious information about the last days of Hertford College, all of course designed to show that the writer was entitled to more than he had got. Probably he addressed similar letters

probably Dr. Jackson was not sorry to make the discovery that the Statutes of 1747 had no legal validity. The College meanwhile dragged on its existence: Hewitt acted as Vice-Principal; but he was unable to persuade the Dean[1] to admit him to the headship, for which he considered he was 'pointed out by the finger of God.' In 1812 he memorialized the Crown, but to no purpose[2], and in 1814 his own fellowship expired. The other tutor had previously retired to a living, and the College ceased to exist: by a legal fiction the commissioners who held an inquisition on the defunct society decided that it *had been* dissolved on the death of the last Principal in 1805. The inquisition was held May 4, 1816. In the following year[3] the buildings were granted to the University for the use of Magdalen Hall, and the intrusive lodgers who had occupied them were gradually evicted[4]. Hewitt received a pension out of the goods of the College for his life, and after his death such immortality as the University Statute-book can bestow.

to all the Vice-Chancellors in succession. Indeed he tells Dr. Jones (April 10, 1832) of the scant courtesy of 'the great little man, your predecessor' (Dr. Jenkyns), and the dignified way he (Hewitt) had shown his resentment, by 'ceasing to be familiar and facetious in his letters.'

[1] Although Dr. Jackson had been succeeded by Dr. Hall in 1809.

[2] Hewitt's Letters, October 14 and 26, 1830. In the last he ingeniously argues that if he was not qualified for the headship, neither was Dr. Durell. But Durell was Vice-Chancellor, 1765–68: or rather he acted as such without being qualified. Therefore he rather thinks that the UNIVERSITY is dissolved, and that all its acts since 1765 are null and void.

[3] By Letters Patent, July 11, 58 Geo. III.

[4] Hewitt himself continued to live in College till May, 1816. In his second letter to Dr. Jones, October 31, 1829, he complains of his rooms being occupied by some person whom he calls 'the cursed Adams.' The Principal's lodgings had been seized upon by the then Town-Clerk of Oxford, to take care of them, as he said.

APPENDIX.

I.

NEWTON'S PETITION AND ATTORNEY-GENERAL'S REPORT.

[S. P. Dom. Geo. I, Bundle 22, No. 87.]

To the King's Most Excellent Majesty.

The Humble Petition of Dr. Richard Newton Principal of Hart Hall in the University of Oxford
Sheweth

That the said Dr. Newton hath erected a Chappel and other Buildings in the said Hart Hall to the value of Fifteen hundred pounds, and hath likewise purchased Ground and Houses contiguous to the Scite of the said Hall for the Enlargement thereof.

That towards the endowment of the said Hall, he is willing to settle upon it a Revenue of Sixty Pounds ℔ Annum for ever, out of his own private Fortune, and hath also a prospect of other Benefactions from Persons formerly educated in the said Hall, provided that a Charter may be obtained for the better security thereof.

That he hath no other view or design in requesting such a Charter, but in order to promote Piety, Good Manners and usefull Learning in that Society, and is desirous for this end, that the said Hall, when incorporated, may be governed by such Rules and Statutes, as Your Majesty shall be pleased to order and Appoint.

He therefore humbly prays, that Your Majesty will be graciously pleased to grant Your Royal Charter for making the said Hall a Body Corporate, consisting of a Governor, with the Stile and Title of Principal, Your Majesty's Petitioner to be the first Principal during his Life, and of Four Tutors, or Fellows, as Assistants to him in the Government of the said Hall, together with such Privileges and Advantages, as have been usually granted on the like Occasions.

And your Petitioner shall ever pray &c.

At the Court at St. James's 18th May 1723[1] His Majty having been moved upon this Petition, is graciously pleased to refer the same to Mr. Attorney or Mr. Sollicitor General, to consider thereof and report his opinion what His Majty. may fitly do therein, whereupon His Majty. will declare his further pleasure.

CARTERET.

[*Endorsed*] Petition of Dr. Newton Principal of Hart-Hall.
18 May 1723.

Richard Newton Dr. of Divinity Principal of Hart Hall in the University of Oxford maketh Oath that he hath Laid out and Expended above Fifteen hundred pounds in Erecting a Chappell and other Buildings in Hart Hall aforesaid.

RICHARD NEWTON.

Juraĩ quinto die Decembris 1723 coram me
E. CONWAY.

Richard Newton Doctor in Divinity and Principal of Hart Hall in the University of Oxford maketh Oath that over and above the Sume of ffifteen Hundred pounds applyed by him to the erecting of a Chappell and other Buildings in the said Hall he hath laid out and expended the sume of One Hundred and sixty pounds of his own proper money in the purchase of Houses and Land lying contiguous to the Scite of the said Hall, And hath moreover obtained a Lease from Christ Church in the University of Oxford of other Land lying likewise Contiguous to the said Hall Granted to him by the said College without any Consideration for the purchase thereof in Countenance as he apprehends of his Design to get the said Hall Incorporated reserving only to themselves a Rent of four pence ℔ Annum. All which Ground and Houses this said Depont. intends to give to the Use of the said Hall when Incorporated, And this Deponent further maketh Oath that assoon as the said Hall shall be incorporated he will also Charge an Estate of Two Hundred pounds a year with the Payment of Sixty pounds a year forever thereto in a manner agreeable to the Corn Act obtained in the favour of the Universitys in the Reign of Queen Elizabeth.

RICHARD NEWTON.

Juř Vicesimo octavo die ffebruarii 1723 coram me.
E. CONWAY.

[*Endorsed*] Dr. Newton's affidts abt Benefactions.

To the King's Most Excellent Majesty.

May it please your Majesty.

In humble Obedience to your Majesty's Commands signified to me by the Right Honoble the Lord Carteret late one of your Majesty's Principal

[1] This is dated the day after the letter of the Earl of Arran to Lord Carteret, giving his approval, as Chancellor, to Newton's scheme. See p. 288 *n*.

Secretaries of State whereby I am required to Consider the annexed Petition of Doctor Richard Newton Principall of Hart Hall in the University of Oxford, and Report my Opinion what your Majesty may fitly do therein, I have Considered the said Petition which sets forth, That the said Dr. Newton hath Erected a Chappell and other Buildings in the said Hart Hall to the value of Fifteen Hundred Pounds, and likewise Purchased Ground and Houses Contiguous to the Scite of the said Hall for the enlargement thereof.

That towards the Endowment of the said Hall he is willing to Settle upon it a Revenue of Sixty Pounds per Annum for ever, out of his own private Fortune, and hath alsoe a prospect of other Benefactions from Persons formerly Educated in the said Hall, provided that a Charter might be obtained for the better Security thereof.

That he hath no other View or Design in requesting such a Charter, but in Order to promote Piety, Good Manners and Usefull Learning in that Society, and is desirous for that End, that the said Hall when Incorporated, may be Governed by such Rules and Statutes, as your Majesty shall be pleased to appoint. The Petitioner therefore most humbly prays that your Majesty would be Graciously pleased to Grant your Royal Charter for making the said Hall a Body Corporate, Consisting of a Governour, with the Stile and Title of Principall, the Petitioner to be the first Principall during his Life, and of four Tutors or Fellows as Assistants to him in the Government of the said Hall, together with such Privileges and Advantages as have been Usually Granted on the like Occasions.

And I must humbly Certifie your Majesty that a Caveat having been Entred with me on the behalf of the Rector and Fellows of Exeter College in the University of Oxford against the said Petition, I have been thereupon attended by the Petitioner, and by the Agents for the said Colledge and have heard Councill on both sides.

The Councill for the Petitioner alledged that Hart Hall is a very Ancient Hall, and that a Body of Learned Men by the Name of Principall and Fellows have resided therein without Interruption between four and five hundred Years, and that it has all along enjoyed the like Priviledges and been under the like Regulations with other Halls in the University of Oxford.

That the Petitioner the present Principall out of great Affection to the Society, and a Pious disposition to promote Religion and Learning, had already bestowed Considerable Benefactions on the Society and intended to bestow more, and to prove this they produced the Annexed Affidavits of the Petitioner, whereby it is Sworn, That he hath Expended above Fifteen hundred Pounds in Erecting a Chappell and other Buildings in Hart Hall; That he had alsoe laid out One Hundred and Sixty Pounds of his own Money in the Purchase of Houses and Land lying Contiguous to the Scite of the said Hall, That he hath Obtained a Lease from Christ Church in the said University of other Land lying likewise Contiguous to the said Hall Granted to him by the said Colledge without any Consideration for the purchase thereof, in Countenance as he apprehended

of his design to get the said Hall incorporated, reserving only to themselves a Rent of four pence per Annum; all which Grounds and Houses the Deponent intends to give to the Use of the said Hall when Incorporated; and will alsoe Charge an Estate of Two Hundred Pounds a Year with the Payment of Sixty Pounds a Year for ever thereto, in a manner agreeable to the Corn Act Obtained in favour of the Universitys in the Reign of Queen Elizabeth.

It was insisted that these Benefactions would make a Competent Endowment of the proposed Colledge, to manifest which, the Scheme hereunto Annexed was laid before me; And that a Charter of Incorporation would be Necessary in Order to Secure the perpetuall Enjoyment of them to the Society.

That the Earl of Arran Chancellor of the University had (so far as in him lay) given his Consent to the Obtaining such a Charter by Letter to the Lord Carteret, a Copy whereof verified by Affidavit is hereunto Annexed[1].

On the other side the Councill for the Rector and Fellows of Exeter Colledge opposed the Granting of such a Charter, and Objected, That Hart Hall depended in many respects upon Exeter Colledge, and the Granting a Charter would destroy or weaken that Dependance.

That the Scite of the Hall is the freehold and Inheritance of Exeter Colledge and was formerly held by Lease from them at a yearly Rent of One Pound, thirteen Shillings and four pence; That tho' the last Lease has been Expired ever since the Thirty fifth Year of the Reign of Queen Elizabeth, yet this Rent has been constantly paid, which is an Evidence that the Principall of the Hall held over as Tenants by Sufferance or at Will to the Colledge, and the Colledge might recover the Possession of it in an Ejectment.

To prove this they produced severall very Ancient Deeds, whereby it appeared that about the Year One Thousand Three Hundred and Fourteen Walter de Stapelton then Bishop of Exeter founded Stapelton Hall since Converted into and Called Exeter Colledge. That besides Stapelton Hall which he purchased of the Prior and Convent of S^{t}.

[1] The documents mentioned as annexed to the Report are now S. P. Dom. Geo. I, B. 56, 114–117. They are—

1. A copy of Lord Arran's letter, attested by affidavit of the transcriber.

2. Affidavit of Matthew Hole, Rector of Exeter College, July 3, 1723, that he has received £1 13*s*. 4*d*. yearly rent for Hart Hall for seven years past.

3. Affidavit of Lawrence Horner, Butler of Exeter College, as to evidence of College books for eleven years past to the same effect.

4. Copies of (1) Decree of Convocation, 1 Eliz. confirming the appointment of the Principal of Edmund Hall to the Provost and Fellows of Queen's College, and (2) Protest and declaration of the said Provost and Fellows of their prescriptive as well as statutory rights over the Hall, 11 Car. I., both attested by the affidavit of William Greenaway.

These documents are endorsed 'Mr. Attorney Genl's Report upon the petn̄ of Dr. Newton for the incorporating Hart Hall. Rec'd Nov. 9, 1724.' But the Report is now separated from them.

Frideswide in Oxford he alsoe by Deed Dated in the 5th Year of the Reign of King Edward the Second purchased two other Halls, one called Arthur Hall and the other called Hert Hall which latter was described to be Scituate in the Parish of St. Peter in the East Oxon, between a Tenement of the University of Oxford called Blake Hall on the West and a Tenement of the Prioress and Convent of Stodlegh on the East.

They alsoe produced Letters Patent under the Great Seal Dated the 10th May 7° of Ed. 2. whereby License is Granted to the said Bishop to Alien in Mortmain to Twelve Scholars Students in the said University two Messuages with the Appurtenances Scituate in Oxford but without any Names or Descriptions, which Letters Patent are endorsed in an Ancient Character thus *De duobus Messuag. Hert Hall and Arthur Hall.*

It was said the Conveyance from Bishop Stapelton to the College was not to be found; but to prove that the Colledge had been in Possession of these Two Halls they produced a Grant from the Abbess and Convent of Godestowe to the Rector and Scholars of Stapyldon Hall and their Successors, Dated the 23d of Aprill 1318, of a Tenement in Oxford reserving a Rent of twelve Shillings per Annum, wherein a power of distress is mentioned to be Granted to the Abbess and Convent for that Rent upon two Tenements then belonging to the sd Rector and Scholars one called Hert Hall and the other Arthur Hall, the Boundaries whereof are described exactly as in the purchase Deed to the Bishop, and a Confirmation of this Grant was produced under the Great Seal Dated the 30 October the 12 Edw. 2.

In Order to shew that Hart Hall was held by the Principall thereof by Lease from Exeter Colledge they produced the Counterpart of an Indenture Dated the 8th July 1 Eliza. whereby the Rector and Fellows of Exeter Colledge Demised to Philip Rondall then Principall of Hart Hall All that their Tenement or House, Ordayned for the Advancement of Learning and Knowledge Commonly called Hart Hall for the Term of One and Twenty Years from the Lady Day before reserving the Annuall Rent of One pound Thirteen Shillings and four pence. In which Deed there is a Covenant from the Colledge to repair the Roof of the Buildings; and another Covenant from the Principall for himself and his Assigns to doe all other Repairs at their own Costs, except what the Rector and Fellows of their Benevolence should give as hath been Accustomed. And a further Covenant from the said Philip Rondall that he will not let or Assign his Term of Years in the Premisses but only to one fit and Able Man for that purpose of the Foundation of Exeter Colledge, and that for the better Accomplishment of the same he shall Use and practise all friendly means by requesting the Company of the said Hall and the Chancellor or his Comissary of the University for the time being, unless he the said Philip or his Assigns be otherwise specially Licensed by the said Rector and Fellows or their Successors. And for the performance of this particular Covenant there was a Bond given by Rondall to the Colledge.

Another Counterpart of a Lease from the Colledge to the same Philip Rondall Dated the 20th of July 14° Eliz. for the Term of One and Twenty Years from the Lady Day before, Under the same Rent and Containing the same Description and Covenants as in the former.

This Term of One and Twenty Years Commences Seven Years before the Determination of the former Lease and takes no Notice of the Surrender of that.

An Originall Lease with the Counterpart thereof Dated the 10th of October 35 Eliza. from the said Colledge to John Evelighe of all that their Tenement or House Ordained for the Advancement of learning and knowledge commonly called Hart Hall, reciting the last Lease to Rondall and that it was Expired, and Demising the same to Evelighe for One and Twenty Years under the same Rent and Covenants as in the former Leases, saving that in this there is no Covenant from the Colledge to doe any part of the Repairs.

With this Lease was produced a Bond of the same Date from the said John Evelighe to the Rector and Fellows of Exeter Colledge, with Condition to perform the Covenant against assigning, and further to permit Philip Rondall quietly to enjoy the said Tenement or Hall during his Natural Life, without any Disturbance or unlawfull Molestation offered by the said Evelighe for the displacing of the sd. Philip, unless he were Specially Licensed by the said Rector and Fellows.

It was not pretended that the Colledge had made any Lease of Hart Hall since that last mentioned, tho' it was Admitted that the Principall and Fellows of Hart Hall had enjoyed the said Hall ever since, paying the Rent of One pound Thirteen Shillings and four pence. But it was Contended that that Rent had not been in all times fixed and Certain but had Varied; and to prove this were produced two Ancient Accounts of the Rectors of Exeter Colledge for the time being; in the first whereof being an Account for a Year ending Anno 1329 Sixty Shillings is mentioned in the Charge as received *De Pensione de Hert Hall*; and in the other which is an Account for about a Year ending in 1377 Forty Shillings is Charged as Received *De Pensione Hert Hall*, But for how long time those Receipts were did not appear by the Accounts.

To shew the Constant payment of the Rent of One Pound Thirteen Shillings and four Pence in late times, they produced the Annexed Affidavits of Doctor Hole Rector of Exeter Colledge and Lawrence Horner who prove the same for Eleven Years past.

It was alsoe alleged that Exeter Colledge Claimed a kind of Visitatorial power over Hart Hall, but it was Admitted that they could Shew no Instance of the Exercise of such Power.

On the other side the Councill for Doctor Newton the Petitioner observed that it was very Extraordinary that such an Opposition to the Improvement of a House of Learning should come from a Society of Learned Men.

That they had made out no right whatsoever to any Jurisdiction or Authority over the Principall and Fellows of Hart Hall, nor to any Interest therein, but the Annuall Rent of One pound Thirteen Shillings and four

pence which was Admitted to be their due and could not possibly be prejudiced by any Charter Granted by the Crown.

That as to the claim set up to the Freehold and Inheritance of the Scite of the Hall, if the Colledge was entitled to it, that likewise could not be taken from them nor their Title to it affected by a Charter. But it was insisted that the Colledge had no Title to it, nor could turn the Principall & Fellows out of their Possession of it.

That Supposing there was proof of the Soil having Anciently belonged to the Colledge, yet the quiet Possession of the Principall and Fellows of the Hall under the payment of a certain Rent of One pound Thirteen shillings and four pence for One hundred and Seventy Seven Years without any Lease or Variation of the Rent was Sufficient Evidence that the Colledge had made a Conveyance of it in Fee for the Benefit of the Principall and Fellows, before the making of the Statutes restraining Alienations by such Bodies. And if they should bring an Ejectment such a Conveyance would be presumed, tho' it could not be produced. And a Case of the like kind was Cited to have been Adjudged in the Court of Comon Pleas in the Year 1694. The President and Fellows of Magdalen Colledge in Oxon upon some Dispute about the Nomination of a Principall of Magdalen Hall brought an Ejectment for the Scite of that Hall. On the 20th of June 1694 this Cause was Tryed at the Bar of the Court of Common Pleas and upon the Trial of the Plaintiffe proved that Anciently the Colledge had been Seised of the Soil and on the part of the Principall and Fellows of the Hall a Possession of about Two hundred Years was proved, but no proof made of any Conveyance whatsoever. But upon this proof and Notwithstanding the restraining Statutes the Court left it to the Jury whether they would not presume a Conveyance in Fee made by the Colledge to the University or some other Trustees in Trust for the Principall and Fellows of the Hall, and accordingly the Jury found a Verdict for the Defendants.

And it was said that in Support of so long a Possession it ought to be presumed in the present Case that such a Conveyance in fee had been, and thereupon the Rent of One pound Thirteen Shillings and four pence reserved as a Fee farm Rent.

But if the Leases made by the Colledge in the Reign of Queen Elizabeth and the Constant payment of the same Rent reserved by those Leases should Differ the Case of Hart Hall from that of Magdalen Hall in point of Law, and the Fee simple should be taken to be still in the Colledge, yet it was strongly insisted that in Equity it would be Adjudged a Trust for the Principall and Fellows of the Hall, and the Colledge would not be suffered to take the Possession from them, Especially since it had been so long enjoyed in this manner, and the Colledge upon the Leases pretended to be made had taken no Fine, and had Expressly stiled it *A House Ordained for the Advancement of Learning and Knowledge*, which shews an Appropriation of it.

As to the two Leases to Rondall now produced it was Objected that no Weight ought to be laid upon them being made only to two particular Principalls of the Hall, without any privity (as far as appeared) of the

Fellows; And that they were an unfair Attempt made to gain to the Colledge the Nomination of the Principall of the Hall, for which reason the Covenant was put in against Assigning to any person except one of the foundation of Exeter College. But that it was plain the Colledge were then sensible they had no right to it from the latter part of the Covenant, whereby they Oblige the Lessee that for the better Accomplishment of this end, *he should use all honest and friendly means with the Company of the Hall and the Chancellor of the University for the time being*, which would never have been Inserted if the Colledge had believed they had a legal Right.

That the Lease to Evelighe was still liable to greater Suspicions than the former, both the Originall and Counterpart being found in the Custody of the Colledge, and an Indorsem^{t}. being made (tho' in a Modern hand) on the Counterpart in these words *Memorand Evelighe was not Admitted Principal till* 1598 41° *Eliz.* which is Six Years after the Date of that Lease, And this was said to be strongly supported by the Clause in the Condition of his Bond for permitting Philip Rondall to enjoy the Hall during his Life. By which it appeared that Rondall continued in Possession, tho' his Lease was expired and he would not renew it, and the Lease to Evelighe had no real effect at the time of making it.

It was urged that this was a Question of great Consequence to the University, all the Halls there subsisting upon the like foundation. That untill the time of Queen Elizabeth the *Aulares* or Scholars of the respective Halls elected the Principalls, and in that Reign when the Earl of Leicester was Chancellor by Agreement with the University the Nomination of Heads of Halls was vested in the Chancellor for the time being; And by the Statute in Archbishop Lauds printed Collection Entitled *De principalibus Aularam eorumque Substitutis* It is Ordained that they shall be Elected by the *Aulares ad Nominationem Cancellarii*, and be Admitted by the Vice Chancellor; which has been followed ever since except in the single Case of Edmund Hall, the Right of Nomination to which is in the Provost and Fellows of Queens Colledge by virtue of a Grant from the University Dated 1° Martii Anno primo Eliz., which Right that Colledge claimed, and reserved to themselves by a formall Protestation made by their Proctors and Registred by the Register of the University at the time those Statutes were Accepted, Copies of both which Instruments are here unto Annexed & verified by the Affidavit of William Greenaway.

It was insisted that this excepted Instance strengthened the Objection against Exeter Colledge in this Case, since if they had any such Authority over Hart Hall they would probably have claimed it at that time by making the like Protestation.

As to the pretence of a Visitatorial Power in Exeter Colledge over Hart Hall it was Answered That as there was no proof of it so the fact was directly contrary, the Chancellor of the University being General Visitor of all the Halls, which he has always Exercised, and is agreeable to the Statute *De Officio potestate et Authoritate Cancellarii* vizt. 'Aularum Regimen & Administrationem earundem ut peculiarem sibi

Curam in se suscipere eumque in finem (quoties Commodum sibi videbitur) easdem visitare & de præfecturis earundem disponere.'

Upon Consideration of the several matters abovementioned I most humbly Certifye your Majesty, that I conceive the Claim made on the behalf of Exeter Colledge is of no Weight against your Majesty's Granting a Charter for Incorporating the Principall and Fellows of Hart Hall and Erecting the same into a Colledge, because it is plain that if they had any Title to the Scite of the Hall or any other right whatsoever over the same, no Charter granted by your Majesty without their Consent could deprive them of that Right.

It must be Admitted that if the Society of this Hall held the Possession of their House only as Tenants at Will to the Colledge, and might be turned out at their pleasure, it would not be for the Honour of the Crown to Grant a Charter and Erect a Colledge, whose only place of Abode as a Society Depended upon so precarious a Foundation; But I am humbly of Opinion that the Principall and Fellows of the Hall have a good Title to the Inheritance of the Scite thereof paying the annuall Rent of One pound Thirteen Shillings and four pence, and that if Exeter Colledge should attempt to disturb them in their Possession, it would either be presumed that the legall Estate had been conveyed in Trust for the Principall and Fellows of the Hall, as in the Case of Magdalen Hall above-cited; or if the legall Estate should be taken to be in Exeter Colledge a Court of Equity would Decree it to be merely a Trust in them for the Society of the Hall and for the Advancement of Learning, that appearing from the Acts of the Colledge it self, as well as from the long and uninterrupted Enjoyment, which is exactly the same thing as to the present Question. And I beg leave to Observe that in a great Body so formed as the University is, consisting of so many lesser Societies independent of each other, whose Possessions are generally of great Antiquity, bordering upon one another, and the Originalls of them not generally known, long Enjoyment seems to be of greater Moment, and may be of worse Consequence to be disturbed than in most other Cases.

If this be so, then there is no Question of Right in the Case, and the only point remaining is a matter of Prudence whether upon the Circumstances of this Case it be proper to Grant a Charter and Erect this Hall into a Colledge or not. And that, as I humbly Apprehend, does in a great measure depend upon the Sufficiency of the Endowment; for as Colledges are understood to be of greater Dignity and Rank in the University than Halls, it seems not adviseable for your Majesty to Convert a Hall into a Colledge, unless it appears to have a certain Endowment sufficient to support that Dignity. The only certain Estate this Hall appears to have is Fifteen Hundred pounds expended by the Petitioner in Erecting a Chappell and some other Buildings; besides One Hundred & Sixty pounds laid out by him in the purchase of Houses and Lands contiguous to the Scite of the Hall, and a piece of Land lying contiguous to the Hall Granted to the Petitioner by the Dean and Chapter of Christ Church under the yearly Rent of four pence, without any other Consideration; And a Rent Charge of Sixty pounds per Annum for ever: all which

the Petitioner swears he intends to give to the Society as soon as it shall be Incorporated. For the rest, it is stated by the Petitioners Scheme annexed to be uncertain and to depend upon the Encouragement the new erected Colledge shall meet with. This I conceive to be but a very slender Endowment for a Colledge in the present Age. But if upon the whole matter your Majesty shall be of Opinion that such a Charter should be Granted as is prayed by the Petition (which it is absolutely in your Majesty's pleasure to grant or refuse) then I humbly Apprehend that in Order to make the proposed Benefactions certain the Petitioner ought to make a Conveyance of such Lands and Rents as he intends to bestow upon the Society to some Trustees in Trust for the purposes above-mentioned, before the Charter shall be perfected ; and that the Statutes for the Government of the intended Colledge ought to be Incorporated in and made a part of the Charter, as has been done in like Cases.

All which is most humbly submitted to Your Majestys Royal Wisdom.

P. YORKE

Octob^r. 1, 1724.

II.

LETTERS.

1. DR. NEWTON TO T. STANYAN[1]. [S. P. Dom. Geo. I, B. 61, 61.]

DEAR S^R

My Statutes are approv'd, and I have writ to M^r. Pelham this morning to get the Duke to Order the Warrant to be drawn with the alterations agreed to by the Attorney General. Be so kind therefore, my good friend, to see that, in the Drawing of the said Warrant, this clause be left out—"*And also Subject to such other alterations, as, after the Death of Dr. N. shall be made by the Visitor &c.*," and this clause chang'd, "*the fellows to be Continu'd during their respective Lives*" into "*The Fellows to be continu'd eighteen years from their matriculation in the University.*" And lastly, these First Fellows' names to be inserted in the Blank Space—

William Greenaway, Master of Arts.
Thomas Hunt, Master of Arts.
Thomas Hutchinson, Master of Arts.
John Digby, Master of Arts.

In this Care you will very much oblige

Y^r. faithful friend

Feb. 12, 1724. R. NEWTON.

I go to Oxford to day.

To Temple Stanyan Esq.
at the Cockpit in London.

[1] Stanyan was a contemporary of Newton's at Westminster and Ch. Ch. He was Under Secretary (1715) and Clerk of the Privy Council (1721).

2. T. STANYAN'S REPLY. [S. P. Dom. Geo. I, B. 61 (enclosed in 60).]

DEAR SIR,

I have moved my Ld. Duke of Newcastle upon what you wrote to me on the 12th inst. concerning the Clause which you would have left out of the Warrant for your Charter. But His Grace thinks it proper that Mr. Attorney General should signify to him in writing his consent for leaving out that Clause. I find you mention some other alterations, which were not settled before you went: and therefore I am afraid nothing more can be done in that matter till you come to Town again. In the meantime I only add the assurance of my being

Your most faithfull
humble Servant
TEMPLE STANYAN.

Dr. Newton.

WHITEHALL,
Feb. 18, 1724/5.

3. DR. NEWTON TO HY. PELHAM. [S. P. Dom. Geo. I, B. 61, 60 (enclosing No. 2).]

DEAR SIR,

You will perceive by Mr. Stanyan's letter where the Thing sticks. I am perfectly asham'd to give you the Trouble I do, but if I were at London I could do nothing but by you, and will therefore beg the favour of you to get the Attorney General to signify his assent in writing to the Duke, for the leaving out that Clause. Or w'd it not be the same thing if the Attorney having the Draught of the Warrant sent back to him should strike out that clause, and then he might at the same time make this other Small Alteration before signified to you and by you to him. [Dr. N. repeats the recommendations of letter 1 as to the term of fellowships and names of fellows.] Whatever expence there is in this method of doing this to be set down to

Dear Sir,
Yr. very much oblig'd
and very affectionate
Servant,
R. NEWTON.

HART HALL,
Feb. 20, 1724.

4. HY. PELHAM TO THE DUKE OF NEWCASTLE. [S. P. Dom. Geo. I, B. 61, 59 (enclosing 3).]

DEAR BROTHER,

Inclosed is a letter I receiv'd from Doctor Newton. Mr. Stanyan is perfectly acquainted with the whole matter and I shou'd be glad if you wou'd give him orders to prepare the warrant as the Doctor desires. The Attorney General has been spoke to about it, and he told me that if the

Bishop[1] agreed to it he had no objection. If you will send Mr. Stanyan to the Attorney, I don't doubt but he will let him know the same thing. I beg you wou'd forward this matter with as much expedition as you can, for you see the poor man's heart is set upon it.

I am
Ever yrs.
H. PELHAM.

Tuesday, noon [Feb. 23, 1725].

III.

ROYAL CHARTER TO DR. RICHARD NEWTON, PRINCIPAL OF HART HALL IN OXFORD.

[Patent Roll, 14 George II, 1740, Part i, No. 26.]

GEORGE the Second by the Grace of God King of Great Britain and so forth To all to whom these presents shall come Greeting Whereas Our Trusty and Welbeloved Richard Newton Doctor in Divinity Principal of Hart Hall in our University of Oxford hath by his Petition humbly represented unto Us that he hath erected a Chapple and other Buildings in the said Hart Hall to the value of ffifteen hundred pounds and hath likewise purchased Ground and Houses contiguous to the Scite of the said Hall for the Enlargement thereof that ffive times three pounds six shillings and eight pence or the Sum of Sixteen pounds thirteen shillings and four pence paid annually out of the Exchequer from the time of the Dissolution of Monasterys continues to be paid annually to the Principal of the said Hall for the Use of ffive Scholars having their Education in that House of learning That the Sum of Sixteen hundred pounds is likewise vested in the Governours of Suttons Hospital by the late Lady Holford for the Purchase of an Estate in Land of sufficient value to yeild Twenty five pounds a year for ever to the Principal of the said Hall and twice thirteen pounds six shillings and eight pence or the Sum of Twenty six pounds thirteen shillings and four pence for ever for the Use of two Scholars coming from the School of the said Hospital to have their Education in the said Hall[2] That towards the further Endowment of the said Hall the said Doctor Richard Newton is willing to settle upon it four times thirteen pounds six shillings and eight pence or ffifty three pounds six shillings and eight pence yearly for ever out of his own private ffortune to take place after his Decease and after a Debt of Seven hundred and fifty pounds contracted by him in Service of the

[1] The Bishop is the Bp. (Potter) of Oxford, Visitor of Hertford College under Newton's first statutes.

[2] This benefaction unfortunately did not fit in with Newton's scheme of endowment, as set forth in his statutes. Accordingly he sternly rejected it altogether: *Statt.* pref. p. v.

Society shall with Interest at ffour in the Hundred be fully paid and hath also a Prospect of many considerable Benefactions from Persons formerly Members of the said Hall and others provided a Charter may be obtained for a better Security thereof That he hath no other View or Design in requesting such a Charter but in Order to promote Piety good manners and useful Learning in that Society and is desirous for this End that the said Hall when Incorporated may be Governed by such Rules and Statutes as We shall be pleased to Order and Appoint He therefore Hath most humbly prayed Us that We would be graciously pleased to Grant our Royal Charter for making the said Hall a Body Corporate consisting of a Governour with the Stile and Title of Principal (The Petitioner to be the first Principal during his Life) and of ffour Senior ffellows or Tutors and Eight Junior ffellows or Assistants together with such Priviledges and advantages as have been usually granted on the like Occasions And Whereas the said Doctor Richard Newton hath already setled towards the further Endowment of the said Hall an Annuity of ffifty three pounds six shillings and Eight pence Issuing out of the Capital Messuage or Manor House of Laundon otherwise Lavendon and other Lands in the Parish of Laundon in the County of Buckingham according to the Proposal in his Petition We taking the Premisses into Our Royal Consideration and being willing to Encourage a Design tending to promote Piety good manners and usefull Learning are graciously pleased to Condescend to the Petitioners request Know ye therefore that We of our especial Grace certain knowledge and meer Motion Have Willed Ordained Granted and Appointed And by these presents for Us Our Heirs and Successors Do Will Ordain Grant and Appoint that within the said Hart Hall and within the Bounds Circuits and Precincts of the same in Oxford and within the said University of Oxford and the Liberties and Precincts of the same there shall and may be from henceforth for ever One Perpetual Colledge for Students of Divinity the Civil and Canon Law Physick and other good Arts and Languages and the same Colledge consisting of a Principal and of ffour Senior ffellows or Tutors and Eight Junior ffellows or Assistants as aforesaid We do found Erect and Establish by these presents And further We Will and by these presents for Us Our Heirs and Successors Do Grant that the said Colledge may be for ever reputed called and named Hertford Colledge in the University of Oxford And further of our more especial Grace certain Knowledge and meer Motion We have Willed and Granted and by these presents for Us Our Heirs and Successors Do Will and Grant that the Principal and ffellows of that Colledge and their Successors for ever shall and may be One Body Corporate and Politick in Deed and in name by the Name of the Principal and ffellows of Hertford Colledge in the University of Oxford and that by the same Name they may have perpetual Succession and that the said Principal and ffellows and their Successors by the Name of the Principal and ffellows of Hertford Colledge in the University of Oxford shall and may be at all times hereafter Persons able and capable in the Law to have take receive and Possess Lordships Manors Messuages Lands Tenements Libertys

Priviledges Jurisdictions ffranchises Rectorys Tyths Rents Revenues Services and Hereditaments whatsoever to them and their Successors in ffee and Perpetuity not exceeding in the whole the clear Yearly value of ffive Hundred pounds above all Charges and Reprizes and also Goods and Chattles whatsoever by the Name aforesaid and that by the said Name of the Principal and ffellows of Hertford Colledge in the University of Oxford they may Plead and be Impleaded Answer and be Answered unto Defend and be Defended in whatsoever Courts and Places of Judicature and before whatsoever Judges and Justices and other Persons and Officers of Us Our Heirs and Successors in all and singular Actions Pleas Suits Complaints Causes matters and Demands whatsoever of whatsoever kind or nature in the same manner and form as any other our Liege Subjects of this Our Kingdom of Great Britain or any other Body Corporate and Politick within this our Kingdom of Great Britain may or can have take receive and Possess or Plead and be Impleaded Answer and be Answered unto Defend and be Defended And that the said Principal and ffellows of Hertford Colledge aforesaid and their Successors may have for ever a Common Seal to serve for the Causes and Businesses to be Transacted by them and their Successors and that it shall and may be lawfull for the said Principal and ffellows of the Colledge aforesaid and their Successors from time to time to break Change and New make that Seal at their Pleasure as they shall think fit And for the better Execution of our Will in this behalf We have appointed Ordained Nominated Constituted and made and by these presents for Us Our Heirs and Successors Do Appoint Ordain Nominate Constitute and make the said Richard Newton Doctor of Divinity and Principal of Hart Hall aforesaid to be the first and Modern Principal of the Colledge aforesaid We have also appointed Ordained Nominated Constituted and made by these presents for Us Our Heirs and Successors Do appoint Ordain Nominate Constitute and make our Trusty and Welbeloved Thomas Hutchinson Doctor in Divinity Thomas Hunt John Sanders and Thomas Wilmot Case Masters of Arts to be the four ffirst Senior ffellows or Tutors and Thomas Griffiths John Shirley George Hippisley Nathaniel North William Clare John Goring John Theophilus Desaguliers and Henry Terry Batchelors of Arts to be the Eight first Junior ffellows or Assistants of the said Colledge And that the Principal and ffellows and their Successors for ever be Nominated to and continue in their respective offices as in the Statutes hereinafter mentioned to be approved by Us is directed unless sooner removed or their places become void according to the Provision of such Statutes And moreover of our more abundant especial Grace certain knowledge and meer motion We have Willed Ordained Granted and Appointed and by these presents for Us Our Heirs and Successors Do Will Ordaine Grant and appoint that Hertford Colledge aforesaid by these presents Erected ffounded and Established shall and may be and shall be taken to be from henceforth for ever as part and parcel of the University of Oxford aforesaid And We do by these presents for Us our Heirs and Successors by virtue of our Royal Prerogative Unite Annex and Incorporate the same Colledge to the

University of Oxford And We Will that the said Colledge be Governed by such Rules and Statutes as by the said Doctor Richard Newton have been made and reduced into Writing on Vellum or Parchment in fforty three ffolio Pages bound up in a Book and Signed with his Hand and Seal bearing date the Second day of November last past and by us approved under our Signet and Sign Manual bearing date the third day of November last past Subject nevertheless to such alterations and Amendments therein for the better Government of the said Colledge as the said Doctor Richard Newton and the Visitor thereof for the time being shall at any time or times during the Life of the said Doctor Richard Newton by any Writing under their Hands and Seals Attested by three Witnesses make by and with the Approbation and Allowance of Us Our Heirs and Successors under our or their Signet and Sign Manual and moreover of our more ample especial Grace certain Knowledge and meer Motion We have Ratified Approved and Confirmed and by these presents for Us Our Heirs and Successors Do Ratify approve and Confirm such Rules and Statutes as by the said Doctor Richard Newton have been made as aforesaid and by Us approved as aforesaid Subject nevertheless to such Alterations and Amendments therein for the better Government of the said Colledge as aforesaid All and singular which Rules and Statutes above by these presents Ratified Approved and Confirmed Subject to such Alterations and Amendments therein as aforesaid We do for Us Our Heirs and Successors Ordain and Command to be Inviolably Observed kept and performed from time to time for ever hereafter under the Penaltys therein Contained And further of our especial Grace certain Knowledge and meer Motion We have Given and Granted and by these presents for Us our Heirs and Successors Do Give and Grant unto the said Principal and ffellows of the Colledge aforesaid and their Successors our especial Licence and free and lawfull power and authority of having receiving possessing and acquiring to them and their Successors for ever Lordships Manors Messuages Lands Tenements Meadows ffeedings Pastures Woods Underwoods Rectorys Tyths Rents Revenues Services and other Hereditaments whatsoever within Our Kingdom of Great Britain or elsewhere within Our Dominions (and held of Us our Heirs or Successors or of any other Person or Persons whatsoever) not exceeding in the whole the clear yearly value of ffive hundred pounds of lawfull Money of Great Britain above all Charges and Reprises We have also Given and by these presents for Us Our Heirs and successors Do Grant to all and every Subjects of Us Our Heirs and Successors whether they be Incorporated or not Incorporated Our especial Licence and free and lawful Power and authority of Giving Granting Disposing of or Alienating to the said Principal and ffellows of the said Colledge aforesaid and their Successors any Lordship Manor Messuages Lands Tenements Meadows ffeedings Pastures Woods Underwoods Rectorys Tyths Rents Revenues Services and other Hereditaments whatsoever so that the same do not Exceed in the whole the clear yearly value of ffive hundred Pounds of Lawful Money of Great Britain above all Charges and Reprizes And Lastly We Will and by these

presents for Us Our Heirs and Successors Do Grant to the said Principal and ffellows of the Colledge aforesaid and their Successors that these Our Letters Patent or the Exemplification or Inrollment thereof And all and singular matters and things in the same contained shall and may be good firm valid sufficient and effectual in the Law according to the tenor and true meaning of the same notwithstanding any Omission or Defect in these Our Letters Patent or any other matter Cause or thing whatsoever to the contrary thereof in any wise notwithstanding We Will also without ffine in the Hanaper &c. In Witness &c. Witness ourself at Westminster the twenty seventh day of August.

By Writ of Privy Seal.

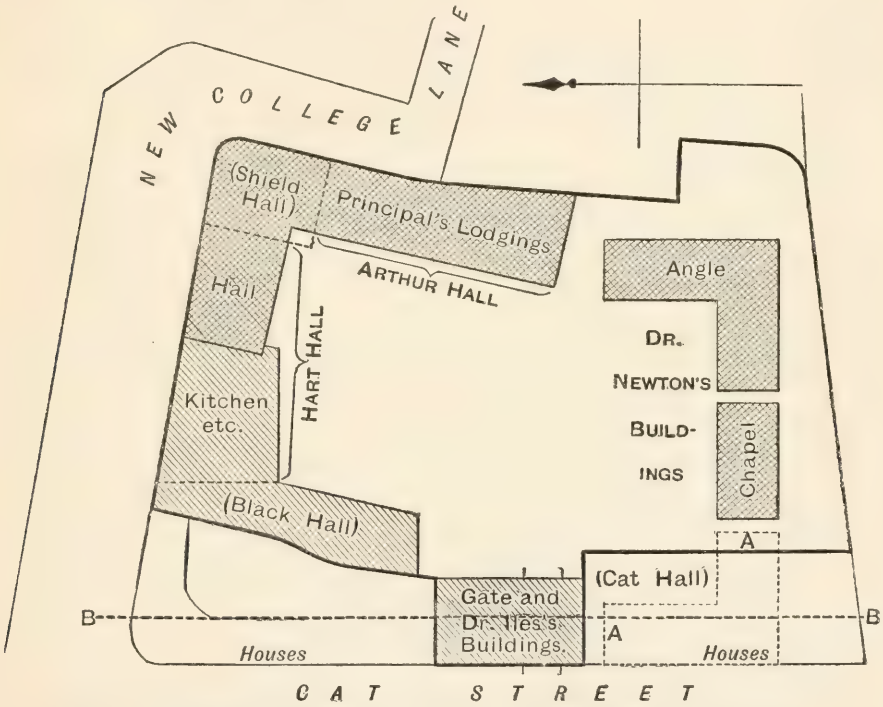
IV.

HERTFORD COLLEGE[1], as it was left by Dr. Newton, occupied much the same space as the present College. But there was a row of shops and small tenements standing on the now vacant ground between the present front of the College and the then narrow roadway of Cat Street, which was limited on the East side by a line drawn from the projecting corner of All Souls parallel with the front of Hertford. In one place the College had a frontage on the narrow street, and to that extent had a larger area than at present. The *College Gate* was then, as now, opposite the gate of the Schools Tower; but it, with *Dr. Iles's buildings* on one side of it, projected between the houses of Cat Street. Over it was the Library, and on the left of it as you entered was what remained of *Black Hall*, a curious old edifice, partly supported on wooden columns, as may be seen in Loggan's print of Hart Hall. Black Hall, which occupied part of the site of the building erected for Magdalen Hall about 1820, had a small frontage, of only three yards, on New College Lane. It abutted towards the East on the ancient site of *Hart Hall*, then occupied by the kitchen and offices with some rooms above, and the Dining Hall, which still exists as the Library. The N.E. corner of the College, the ancient *Shield Hall*, or *le Michel Hall*, as Newton calls it, was as it now remains. Opposite the gate on the East side of the College, and the site of *Arthur Hall*, stood the Principal's Lodgings, which, though turned to other uses, are still much in the same condition as when Newton inhabited them. The attics, however, were added, or at least enlarged, by Dr. Macbride, when Principal of Magdalen Hall. Dr. Newton's own buildings, the Chapel and the one Angle which he completed, still occupy the South and S.E. parts of the quadrangle. Between the Chapel and the Gate, where the Principal's house now stands, was a vacant space, the site of the ancient *Cat Hall*, abutting on

[1] I take this account of the buildings of the College partly from a note in Newton's *Grounds* (c. i. p. 1) and partly from the finding of the Inquisition in 1816. I have also made use of old drawings, prints, &c.

the houses of Cat Street, which it was Newton's ambition to purchase, so that he might join the Chapel to the Gate by an Angle of the same design and proportions as that which he had already built.

The Hall (now the Library, and the oldest existing part of the College) had been built by Philip Rondell, Principal 1549–1604. His successor, Theodore Price (1604–1621) built the Principal's lodgings. Dr. Iles (1621–1653) gave Hart Hall its frontage on Cat Street and built the old kitchen. The Gate with the Library above it was the work of Wm. Thornton (1688–1707), who also decorated his building with the device of the drinking stag, which has been reproduced over the present



A.A. *Second Angle as proposed to be built* B.B. *Present line of Frontage*
Existing buildings. *Former College buildings.*

gateway. This device was adopted by Newton for the seal of the College, and also as an imprint for his books. It first appears on the title-page of the *Grounds of the Complaint*, 1735, and seems to have been used for all books written by members of the College in its service or for its benefit. Later the seal was altered: the stag appears facing to the right instead of the left, and the motto *Sicut cervus anhelat ad fontes aquarum* was shortened by the omission of *anhelat*. In this later form it was used also as an imprint, apparently by any Fellow of the College for any work he chose to print[1].

[1] It is used, for instance, by John Kidgell (Fellow 1747–58) for such works as his French *Fables* (1763).

V.

In his lifetime Newton printed:—

(1) Sermons.

On the Anniversary of Her Majesty's (Queen Anne's) accession. 4to, Lond. 1712.

On November 5 (preached in the Chapel Royal, Windsor). 4to, Oxf. 1713.

On the Consecration of Hart Hall Chapel. 4to, Oxf. 1716.

On the Ministerial Duty (preached before the University). 4to, Oxf. 1740.
[This sermon is affectionately dedicated to his Society, 'On this day become a College,' and 'Wishing you Perpetuity.']

(2) Works relating specially to Hertford College.

A Scheme of Discipline with Statutes intended to be established by a Royal Charter for the education of youth in Hart Hall in the University of Oxford. Fol. s. l. 1720.

A Letter to Dr. Holmes, Vice-Chancellor of the University of Oxford and Visitor of Hart Hall within the said University. Fol. Lond. 1734.
[A second ed. with an answer to Conybeare, same place and date.]

The Grounds of the Complaint of the Principal of Hart Hall, concerning the obstruction given to the Incorporation of his Society by Exeter College and their Visitor, as lately set forth in a Letter to Dr. Holmes, more fully represented and justified. Fol. Lond. 1735.
[A second ed. the same year.]

Rules and Statutes made by Dr. R. Newton, Principal of Hart Hall, for the Government of a College intended to be Incorporated by the name of the Principal and Fellows of Hertford College in the University of Oxford. Fol. Lond. 1739.

Rules and Statutes for the Government of Hertford College, with Observations on particular Parts of them, &c. 8vo, Lond. 1747.

(3) Other Works.

Proceedings of the Visitors of University College, with regard to the late disputed election of a Master, vindicated. Fol. Oxf. 1723.
[A second ed. the same year.]

University Education (see pp. 290–93). 8vo, Lond. 1726.

University Education, reprinted. 8vo, Lond. 1733.

The Expense of University Education Reduced (anon.). 8vo, Lond. 1727.
[2nd and 3rd edd. 1733; 4th ed. 1741 (see p. 302).]

Pluralities Indefensible. (Anon. 'by a Presbyter of the Church of England.') 8vo, Lond. 1743.
[A second ed. 1744.]

Proposals for printing 4,000 copies of the Characters of Theophrastus, with a strictly literal translation, &c. 8vo, Oxf. 1752.

The edition of Theophrastus, which Newton had nearly completed at his death, was published in 1754. (8vo, Oxford.)

An anonymous tract entitled *The Principles of the University of Oxford as far as relates to affection to Government*, &c. (8vo, Oxford, 1755) is also attributed to him.

His collected sermons were published in 1784 (8vo, Oxford).

PART VII.

CHARLES EARL STANHOPE

AND

THE OXFORD UNIVERSITY PRESS

By HORACE HART

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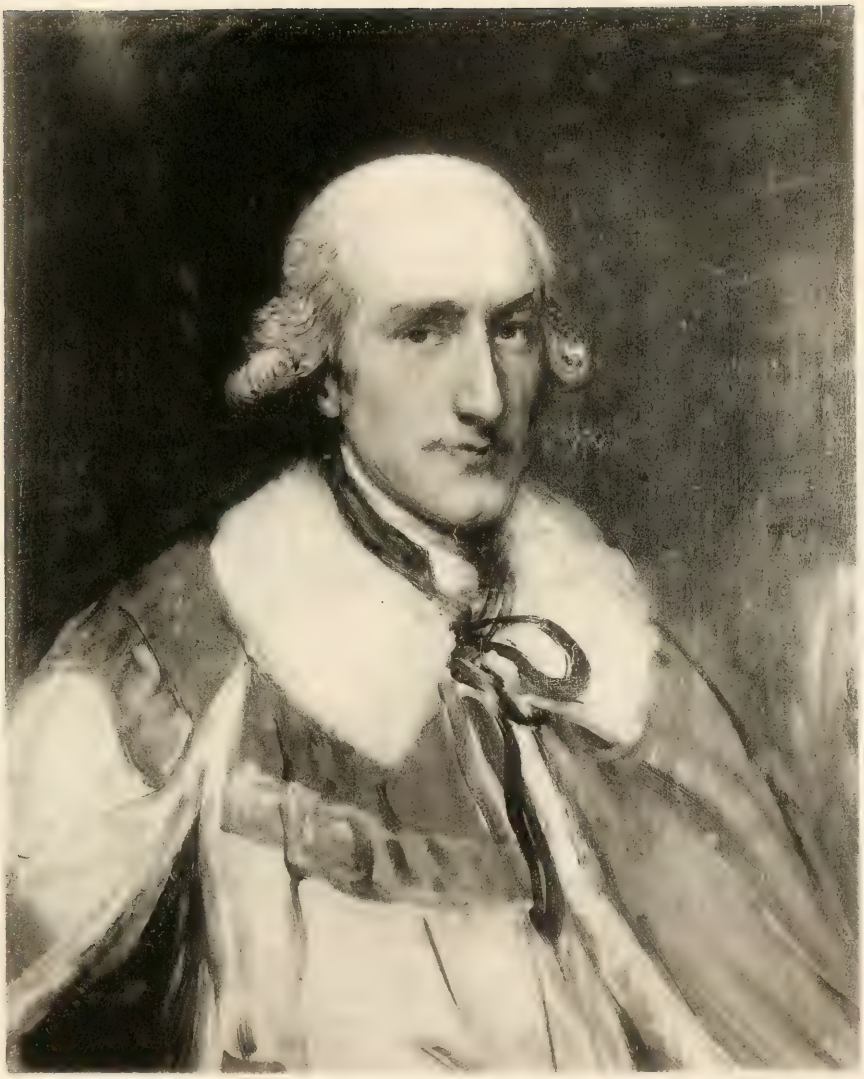
NOTE.

NOTE.—For the sake of clearness, the extracts which follow are marked, at the beginning of each—[**D. M.**] when they are from the ancient Minute-books of the Delegates of the Oxford Press; or [**S. P.**] if they are from the papers of Charles Third Earl Stanhope: these last are generally in Charles Earl Stanhope's handwriting, or are corrected by him. In each case the date has been prefixed whenever it has been ascertained.

The general plan of this article is, first to give a short account of Charles Stanhope, extracted from the records of his contemporaries; and next to describe, each in its turn, such of his inventions as were adopted at the Oxford Press—bringing together in order of date all extracts either from [**S. P.**] or [**D. M.**] which bear upon the subject under consideration.



CHARLES EARL STANHOPE

1753–1816

From a Portrait by GAINSBOROUGH *at Chevening (copied by permission of the present* EARL STANHOPE)

CHARLES EARL STANHOPE AND THE OXFORD UNIVERSITY PRESS.

I.

THE University Press referred to in these pages is the Clarendon Printing-house in Broad Street. The period is from 1796 to 1825. In this building, at the time mentioned, the printers of the University were carrying on their work under certain disadvantages, because their habitation had already become too strait for them. Erected in 1713, by means of the profits accruing to the University by the sale of copies of Clarendon's 'History of the Rebellion,' this Broad Street printing-house seems to have been well adapted for its purpose, if we remember what were the methods and printing appliances of the time[1]; at any rate, it served that purpose for more than a century.

The University Delegates for Printing had already been indebted to two Earls for countenance and support—to the Earl of Leicester, who was Chancellor of the University 1564–1585, and to the Earl of Clarendon, who was Chancellor 1661–1667. Nearly a century and a half later, we find them adopting the inventions of Charles, third Earl Stanhope. The letters and other papers[2] of this nobleman prove him to have been a

[1] Ingram calls it 'That stately fabric situate on the eastern side of the Sheldon theatre, which was denominated the Clarendon Press.'—Ingram's Memorials, No. 12, p. 11.

[2] Fragmentary Papers of Charles, Third Earl Stanhope, on Printing and Stereotyping. Kindly placed at the disposal of the writer by the present Earl (1896).

man of untiring industry, of wide sympathies, of unstinted generosity, and greatly in advance of his time in many ways. In what he did, or proposed to do, it is easy to see that he was eager to secure not his own advantage, but that of the public at large. That no life of him has been written is perhaps due to the fact that at his death his papers were left to eight different persons, one of whom was Lord Holland[1]. To use the words of the present Lord Stanhope, 'He printed on his own Stanhope printing-press treatises on Tuning, and on the Paddles of Steamboats. He also invented a calculating machine, as Lord Mahon, in 1777. He was a great mathematician, and an advanced politician for the days in which he lived.' Besides the calculating or arithmetical machine, he invented an extraordinary instrument for performing logical operations (the first of its kind) called the 'Demonstrator,' which has been fully described and illustrated by the Rev. R. Harley, F.R.S.[2], who says that 'the subject of Logic occupied the thoughts of Charles Earl Stanhope, more or less, for thirty years.' To this may be added that he was prepared to take in hand the finances of his country (see 'Observations on Mr. Pitt's Plan for the Reduction of the National Debt, by Charles Earl Stanhope, F.R.S.,' with twenty-two appendices filled with minute calculations[3]); also to remodel the British mercantile marine (see his 'Specification respecting Ships and Vessels,' printed in 1807). What is more to the present purpose is, that he invented or improved, or encouraged the invention or improvement of, numerous appliances for printers; and placed these inventions or improvements at the service of all who practised the art of printing, including the Universities of Oxford and Cambridge; without asking—for himself at any rate—either fee or reward.

In the year 1805, as will be seen, and subsequently, this nobleman offered to the Delegates of the Oxford University Press some of his inventions—one being the much valued and so-called 'secret process' of stereotyping; another the iron

[1] Henry Richard Vassal Fox, third Lord Holland, was born in 1774, and died in 1840. Holland House is now in the possession of the Earl of Ilchester.

[2] See *Mind*, April 1879, vol. iv. pp. 192–210.

[3] London: Printed by J. Davis, 'for P. Elmsley in the Strand,' 1786.

handpress called the Stanhope press; a third, his system of logotypes and logotype cases. For the first, the University of Oxford paid the sum of £4,000 in hard cash to Lord Stanhope's foreman and factotum, Andrew Wilson[1]; and in consequence, after some years of struggles and failures, stereotyping on the Stanhope system became a part of the general business of the University Press at Oxford. How this came about is revealed in the following extracts, which are now printed for the first time. For the second invention, the University, as the records show, paid nothing—excepting that the new iron presses were purchased as they were required at the printing-house. A few years later the Stanhope system of logotypes and cases was also introduced into the Oxford Press, as an experiment. Lord Stanhope's fertile brain was occupied at this time with innumerable other schemes; but it is only with those which relate to printing, and directly concern the Oxford University Press, that we have to do in this article; an attempt being made to trace the 'invention' or 'system' or 'power'—for he used all three names for his schemes—from the scrap of paper on which Charles Earl Stanhope jotted his first impressions, to the actual thing as it still survives at the Clarendon Press.

Here it may be asked, What sort of a man was he, to whom the Oxford University Press, and printers generally, are indebted for the various Stanhope systems and inventions? He was born in 1753, and entered Eton College in 1763. His name is to be found in a manuscript list of the later date. The Provost of Eton has kindly given himself the trouble to search, and he tells me that 'Lord Mahon was low down in the School. There are in the list 514 boys in all, and he is the 479th boy. As he is not in the list of 1762, he must have been a new boy. I think he must have left the School soon, as I cannot find him afterwards. In 1763 Dr. Sleech was Provost, and Dr. Barnard (Charles Fox's master) was Head Master.' Thus Stanhope entered when he was only ten years old. From Eton he was sent to Geneva for the completion

[1] Stower (Printer's Grammar, p. 484) calls him 'a respectable master printer.' A. Wilson himself states that he 'sacrificed' his own business in Wild Court in 1802 in order to take up the stereotyping business for Lord Stanhope (see post, p. 392).

of his education. One of his contemporaries writes: 'He was brought up by his father principally at Geneva. He had there imbibed very strong republican or rather levelling principles. . . . His person was tall and thin, his countenance expressive of ardour and impetuosity, as were all his movements. Over his whole figure, and even his dress, an air of puritanism reminded the beholder of the sectaries under Cromwell, rather than a young man of quality in an age of refinement and elegance. He possessed stentorian lungs and a powerful voice, always accompanied with violent gesticulation[1].'

This picturesqueness of appearance is corroborated by another hand. Writing from Strawberry Hill, September 7, 1774, to the Hon. H. S. Conway, Horace Walpole says: '*Apropos*, Lord Mahon, whom Lord Stanhope, his father, will not suffer to wear powder because wheat is so dear, was presented t'other day, in coal black hair, and a white feather: they said *he had been tarred and feathered*[2].'

To quote Wraxall again: 'His ardent, zealous, and impetuous mind, tinged with deep shades of republicanism and eccentricity, which extended even to his dress and manners, was especially marked by a bold originality of character, very enlightened views of the public welfare or amelioration, inflexible pertinacity, and a steady uprightness of intention[3]. . . . His eccentricities of dress, character, and deportment, however great they might be, were nevertheless allied to extraordinary powers of elocution as well as energies of mind[4]. . . . A man who at every period of his life, whether as a commoner or as a peer, displayed the same ardent, eccentric, fearless, indefatigable, and independent character[5].'

The portrait which is prefixed to this article is from a painting by Thomas Gainsborough—a three-quarter length which was never finished because of the death of the painter. The present Earl Stanhope informs me that this picture has

[1] The Historical and the Posthumous Memoirs of Sir N. W. Wraxall (1772–1784), ed. Wheatley, vol. iii. pp. 401, 402.

[2] Private Correspondence of Horace Walpole, Earl of Orford. London: Rodwell & Martin, 1820. Vol. iii. p. 459.

[3] Wraxall, vol. ii. p. 341.

[4] Wraxall, vol. iii. p. 296.

[5] Wraxall, vol. v. pp. 334–335.

hitherto never been engraved or photographed. It reveals a noble face, with lofty brow, piercing eyes, long straight nose, firm lips, and prominent chin. The expression is most refined and intellectual ; and here, at any rate, is nothing to warrant the description given of Charles Earl Stanhope by one writer, as being 'un-aristocratic and more than eccentric[1].' His advanced opinions, and especially the unrestrained expression which characterized all his utterances, caused him to be several times lampooned and caricatured, as reference to the prints of the period will amply show. We will turn now to his inventions and work, so far as they affected the University of Oxford.

II.

Stanhope's 'Secret Process' of Stereotyping.

Lord Stanhope's processes are catalogued in his own handwriting in the following scheme for a book 'On Printing.' In this work—which was only partly written, Lord Stanhope dealt exhaustively with the process of stereotyping. In Hansard's *Typographia*, published in 1825, some extracts are printed from a 'Stanhope Manuscript,' which doubtless at one time formed part of a larger Stanhope Collection of MSS. (To this, by the way, it never seems to have found its way back[2], as it is not among the MSS. lent to me by the present Earl.) Charles Earl Stanhope first proposed to record the disadvantages under which the printer laboured, and next to show how, by means of the Stanhope systems, those disadvantages could be overcome. The following was written before 1802[3].

[**S. P.**] Prominent disadvantages at present, under the title of—ON PRINTING.—Specimens of Stereotype Printing.—Specimens of Music at End of this Work.—On Stereotype Printing.—This chapter to end with an extract from Camus[4].

[1] Caricature History of the Georges, by Thos. Wright, M.A., F.S.A. Cr. 8vo, London, 1867. Page 487.

[2] Hansard says, 'I am in possession of the original manuscript' (Typographia. By C. T. Hansard. London, 1825. Page 475).

[3] A. Wilson says, p. 28, that stereotyping was begun in 1802.

[4] Armand Gaston Camus was born in Paris in 1740; he was deputy to the States-General 1789; and died in 1804, being then Archiviste. He translated Aristotle's History of Animals, for the merit of which work he was elected a member of the Académie des Inscriptions et Belles-Lettres.

Then follows a series of minute memoranda, elaborated in a fair copy as follows :—

[**S. P.**] *Outline.*—1. PRINTING AND STEREOTYPING.—2. STANHOPE POWER DIRECT.—3. STANHOPE POWER INVERSE.—4 a. STANHOPE CRANE FOR STEREOTYPING.—4 b. ITS APPLICATION.—5. OVENS [here follow elaborate details]. — 6. GYPSUM[1] [elaborate details]. — 7. TYPES: difference between types used for stereotyping and types used for moveable type printing.—8. IMPOSING CHASE: form of the chase; head-stick with gits[2]; side-stick; foot-stick, with gits; quoins, &c., &c.; brass furniture, &c.—9. MOULDING PROCESS [details follow].—10. DRYING OF THE MOULDS, &c.—11. PROCESS OF CASTING, &c.—12. COOLING TROUGH.—[13[3]]. REPAIRING AND ALTERING PLATES.—[14]. PRINTING PRESS. — [15]. LOGOTYPE. — [16]. STANHOPE COMPOSING CASES.—[17]. PANTATYPE.

Here is the extract from Camus as Lord Stanhope translated it. The original is to be found in 'Mémoires de l'Institut National des Sciences et Arts'; Tom. III, 'Lit. et Beaux-Arts,' pp. 433–435. Paris: Prairial, an IX (1802). The title of this article is 'Sur l'Histoire et les Procédés du Polytypage[4] et de la Stéréotypie.' The descriptions—and especially the illustrations—of early 'reproduction' work in this article will astonish those who think that 'process' work and automatic engraving are modern inventions.

[**S. P.**] Memoir on the History and Proceedings of Polytypography and Stereography. By Citizen A. G. Camus. 'It often happens that in the early periods of a discovery, and the practice of new proceedings, the expreſsions which are made use of to point out their object, are doubtful. Sometimes one name is given to things which differ in their nature; often again names are multiplied, because things altho' of the same kind present themselves in different points of view. Thus of late years, much has been said of polytypography, Stereography, monotypography, and omotypography, to expreſs various means of extending works by the aſsistance of printing. The word

[1] A mineral consisting of the hydrous sulphate of lime. When calcined it forms plaster of Paris.—*Webster.*

[2] (Written also *geat, gate.*) In founding, the channel or spout through which molten metal runs into a mould in casting.—*Webster.*

[3] The bracketed numbers are not in the MS.

[4] 'POLYTYPAGE.—Procédé pour multiplier une feuille écrite par des moyens qui appartiennent au genre de la gravure en taille-douce ou de la typographie. . . . Se dit aussi d'une réproduction, en fonte ou autre métal, des bois gravés et vignettes.'—*Littré.*

polytypography has been applied to methods differing from one another, and the expreſsions stereography, monotypography, and omotypography have represented at one time proceſses similar in their kinds, at another proceſses diſsimilar. Under these circumstances, I consider myself obliged, in the first place, to define the expressions which have been made use of, point out those which I shall preserve in the memoir, and to determine their sense. The noun substantive, the basis of all the expressions which I have quoted, is the word type[1] signifying a mark, an impreſsion stamped by beating or preſsure, and by which means it can be increased. The adjectives which have been added in the composition signify a multiple type, or a multiplication of the type; particularity of type or unique type; a similitude of type or types similar to one another[2]. The words [*polytyper*], polytypography, have defined the practice of multiplying the expreſsions of thought, writing or drawing, whether by methods resembling copper plate engraving, or by other means analogous to printing properly so-called[3].

The words stereography [*stéréotyper*], monotypography, and omotypography, have marked the methods of augmenting writing, or rather the editions of books, by proceſses in the manner of printing. I shall only reserve two of these four titles with their derivatives. The first of these [*polytyper*] I apply to the multiplication of writing or drawing by practices which poſsesſs more or leſs affinity to those in copper plate engraving; the second to the increasing a page of writing or a book by methods relative to those in printing. If I make use of either of the other titles, or treat differently the two which I have reserved, it will only be to expreſs the enunciations of the Artists whom I have quoted in their own words, and to expose the sense which they have ascribed to them. I intend giving the history and proceedings of polytypography and stereography; yet it is not my intention to write distinct chapters, the one to contain the history, the other the practice, for it is by giving an account of the endeavours, discoveries, and succeſs of the Artists, that I point out the methods which may be employed.

Then comes Stanhope's introduction :—

[S. P.] [1] τύπος, the form which prints (Greek derivations).—*Camus.*

[S. P.] [2] All these expreſsions are formed of an adjective added to the substantive τύπος; namely, πολύς, numerous, many; στερεός, solid, immoveable; μόνος, one only; ὅμοιος, similar.—*Camus.*

[S. P.] [3] I add 'properly so called,' to remove from that expression the latitude which renders it common to the action of the copper plate printer, and that of the printer in moveable characters. It is of this last I speak whenever I use the word printing only, and without the addition copper plate.—*Camus.*

[**S. P.**] On Printing.—The Art of Printing has contributed so eminently to the civilization of society, and is capable of producing effects so extensively beneficial, that men of science ought to do their utmost to improve it.

To every man who is fully sensible of the importance of diffusing knowledge, *the dearness of books* must be a subject of considerable regret. This evil arises in a great measure, from the *expense* and *risk* to which publishers are liable at present.

An author, from not knowing what number of copies of his work he is to sell, may be exposed to great inconvenience. For, if he prints more than sufficient, he is evidently subjected to the loss of the paper and printing[1] of all those copies which remain on hand. But if, on the contrary, he should print fewer than are wanted; then, he must incur the expense of at least a second edition, or lose the advantage which would result to him from supplying the further demand of the public. Even if an author is able to dispose of *all* the copies that he has printed, yet he is under the necefsity of advancing a capital which perhaps he can but ill afford, and he is obliged moreover to incur *the loss of the interest* of his money during the time that he is disposing of his books.

A bookseller who buys any literary property, is subject to similar hardships, which are felt by him the more severely in proportion to the number and magnitude of the works he purchases.

According to the common mode of printing, *the wear of types* is an object of considerable expense. In order to avoid the purchasing of new ones, Printers often make use of types which are very much worn, whereby the beauty of their books is destroyed, and the reading of them is rendered very unpleasant.

The *inaccuracy* of printed works is another great objection to the present system. In literary works, correctnefs is desirable; in scientific, important; and in some books, such for example as tables for navigation, accuracy is indispensable. A wrong figure, in one of those tables, may produce a false reckoning, and thereby occasion the wreck of the vefsel, and the lofs of the crew.

The object of this publication is to remedy these evils, and to point out by what means the public may have books at a much cheaper rate, as well as more beautiful, and more correct.

Before I explain some inventions of mine relative to this incomparable art, I shall give a detailed account of STEREOTYPE PRINTING (that is to say, of *fixed-type* printing,) which is a most valuable discovery,

[1] The assumption that it is, as a rule, the author who prints, and who advances the capital, is worthy of note in passing.

and which I have purchased from one of the ingenious inventors of it, Mr. *Andrew Fowlis*[1], for the purpose of giving it to the world at large. I have, with the afsistance of that able printer, made a great number of systematic experiments upon that method; and as I have totally altered the procefs, I shall describe it in its present improved state, as well as in the ftate it was communicated to me. I have his leave to say, that the *new* plan meets fully with his approbation, and that he considers the alterations as being extremely important.

The improvements in the arts of ENGRAVING, DRAWING, and the PRINTING OF MUSIC, will be found, in this treatise, in their proper place.

Here is Lord Stanhope's intended conclusion:—

[**S. P.**] (End) (after Paper making). The Arts which I have described above, are evidently of great importance. The improvement of them, is one of the firft Objects which I have had in view, for the good of Mankind. The beneficial Effects which may in time refult from their combination, are almost incalculable. Experience will put the utility of each of thofe Discoveries to the teft. I shall be truly happy, if I fhall find that what is contained in this little Treatise contributes efficaciously to the wide diffusion of INTELLECTUAL LIGHT.

Stereotype printing, of a kind, had really been 'invented' before, by several persons and in various places. The earliest stereotype plates in existence were made between 1700 and 1726. Specimens exhibited at the Caxton Exhibition of 1877[2] were lent by the firm of Mr. E. J. Brill, of Leiden, Holland. 'They are plates,' their present possessor tells me, 'quite the same as those used at present, and cast by the still-at-present-used type-metal[3].'

[1] In letters patent dated April 24 'in the twenty-fourth year of the reign of King George III (1784),' Andrew Foulis (or Fowlis, or ffoulis) is described as 'printer to the University of Glasgow,' and a certain Alexander Tilloch as 'of the city of Glasgow, printer,' and the duration of the patent was fourteen years. The particulars of the invention (which they were bound to file within four calendar months) were duly furnished and enrolled on July 20 in the same year, and were as follows:—[**S. P.**] 'Our said invention is a method of making plates for the purpose of printing by or with such plates instead of the moveable types commonly used; and such plates are made either by forming moulds or matrices for the page or pages of the books or other publications to be printed by or with plates, and filling such moulds or matrices with metal, or with clay, or with a mixture of clay or earth; or by stamping or striking with these moulds or matrices the metal, clay, earth, or mixture of clay and earth.' The date of the signing of this declaration is June 8, 1784.

[2] Catalogue of the Caxton Exhibition, Section II, Class M.

[3] E. J. Brill, on the Canal of the Old Rhine, Leiden, Holland, is the trade

William Ged, a goldsmith living in Edinburgh, practised the invention there in 1725[1].

In 1801 there appeared in the *Philosophical Magazine* an account by Alexander Tilloch of stereotype printing. He claims to have himself invented the process, and says that stereotyping was 'an art . . . in which . . . I was tolerably proficient upwards of twenty years ago. The idea was truly my own, but in perfecting the invention I had the assistance and joint labour of . . . Mr. Foulis[2].'

But Tilloch also gives an extract from *Niew Algemein Konst en Letter Bode*, 1798, No. 232, which declares that 'Above a hundred years ago [i.e. before 1698] the Dutch were in possession of the art of printing with solid or fixed types. Samuel and J. Leuchtmans, booksellers at Leyden, have still in their possession the forms of a quarto Bible which were constructed in this ingenious manner. . . . The inventor of this useful art was J. Van der Mey, father of the well-known painter of that name. About the end of the sixteenth century he resided at Leyden. . . . This Bible he also published in folio. . . . Also an English New Testament and Schaaf's Syriac Dictionary, and likewise a small New Testament in 18mo. As far as known, Van der Mey printed nothing else in this manner; and the art of preparing solid blocks was lost at his death, or at least was not afterwards employed[3].'

name of the 'oldest bookselling firm in Europe,' dating from the sixteenth century, through the historical line Elzevier (*sic*), Luchtmans, Brill. A 'clergyman of the German Church, existing since the year 1648 at Leyden, Johannes Muller, invented stereotype-printing about 1700; and facts and dates prove that this new method of printing was first applied by the Luchtmans.'—Trübner's *American, European, and Oriental Literary Record.* September–October, 1883, pp. 98, 99. A pull from what are said to be the oldest stereotype plates in the world may now be seen in the Bodleian Library. The dates on two of them are 1716 and 1724, nearly a century earlier than Lord Stanhope's 'invention.' Their possessor says, 'They are to be seen in our house': at the address already given above.

[1] Ged gives this date himself. See 'Biographical Memoirs of William Ged, including a Particular Account of his Progress in the Art of Block Printing. London: printed by and for J. Nichols. MDCCLXXXI.'

[2] 'Philosophical Magazine. By Alexander Tilloch, Member of the London Phil. Soc., &c., &c.—A Brief Account of the Origin and Progress of Letterpress-plate or Stereotype Printing.' Vol. x. pp. 267–277. Signed at end 'A. T.'

[3] Ibid., pp. 275, 276.

In 1804 there was published 'An Abstract of the Whole Doctrine of the Christian Religion. With Observations. By John Anastatius Freylinghausen, Minister of St. Ulrich's Church, and Inspector of the Public School at Hall (*sic*) in Germany. From a manuscript in Her Majesty's[1] possession. The first book stereotyped by the New Process. London, Stereotyped and Printed by A. Wilson, Duke Street, Lincoln's Fields, for Edward Harding. Sold by T. Cadell and W. Davies, in the Strand; by A. Constable, Edinburgh; and J. Archer, Dublin. 1804.' The following rules, which are printed on the back of the title-page, show on what principles Lord Stanhope conducted the stereotype business:—

STANDING RULES

OF

The Stereotype Office.

1. Nothing is to be printed against Religion.
2. Every thing is to be avoided, upon the subject of Politics, which is offensive to any Party.
3. The Characters of Individuals are not to be attacked.
4. Every Work which is stereotyped at this Office is to be composed with beautiful Types.
5. All the Stereotype Plates are to be made according to the improved Process discovered by EARL STANHOPE.
6. School Books, and all Works for the Instruction of Youth, will be stereotyped at a lower Price than any other.

Lord Stanhope was fully aware of the previous history of the process, for among his papers is a description of stereotyping as practised by Messrs. Foulis and Tilloch, as well as the certified copy dated 1808, of their licence or patent, from King George III, already referred to. But Lord Stanhope's chief source of information was, as we shall see, Citizen Camus.

[1] Queen Charlotte, wife of King George III.

The following, in Lord Stanhope's handwriting, was probably intended for his work 'On Printing.' Mere repetition is avoided :—

[S.P.] On Stereotype Printing.—The great advantage obtained by this mode of Printing is, that publishers are compleatly secured against any considerable *risk*. The reason is that they need not print any more copies at first, than they are sure to dispose of immediately; and that they can, at any time, print off any additional number which may be wanted, without the expence of setting up the Types again for a second Edition. Because, by the *ſtereotype* mode of printing, each Page is printed from a *cast-plate* of type metal, which is readily formed from the moveable types now in use, by means of a very simple and unexpensive proceſs which will be explained hereafter; and the *cast-plates*, when once made, are always ready for use when wanted. . . . .

In *ſtereotype* printing, the moveable types are very little liable to be injured; because, they are used only for the two following purposes. First, for taking a proof-sheet, in order that the person who corrects the preſs may know whether the impreſsion be correct; and secondly, for making a hollow mould in the manner hereafter explained, for the purpose of forming therefrom a *cast-plate* of Type Metal. So that, printed works executed upon the *ſtereotype* principle, will, in general, be more beautiful, than those which are executed in the common method, on account of the Types being so very little exposed to wear.

It is said that, so far back as the year 1727, Mr. William Ged, a Goldsmith in Edinburgh, began to make plates upon the *ſtereotype* plan. In 1736, a *Salust*[1] was printed from those plates. About twenty years ago, Mr. Andrew Foulis[2], then Printer of the University of Glasgow, and Mr. Alexander Tilloch, who is now the Editor of the Philosophical Magazine, (without being acquainted with Ged's process), discovered the *ſtereotype* Mode of printing, and printed

[1] A copy of this work in the Advocates' Library at Edinburgh has the following imprint :—'Edinburgi/Gulielmus Ged, Aurifaber Edinensis. non Typis/mobilibus, ut vulgo fieri solet, sed Tabellis seu/Laminis fusis, excudebat MDCCXXXIX/.' One of the original stereotype plates, containing ten pages, viz. pp. 124–128 and 130–134, is still preserved in the Library, and has often been 'pulled' as a curiosity for visitors. The 1739 Sallust is always described on the pulls as 'the first book printed by the Stereotype process,' though the statement does not agree with what Lord Stanhope says above.

[2] [S. P.] Among the papers is a MS. description headed 'Stereotype Process in detail referring to the Models drawn up by Andrew Foulis for the use of Mr. William Blackwood. Edinburgh, May 26, 1807.'

several Works in that manner, in English, Latin, and Greek. Didot, the celebrated printer at Paris, has likewise practised this valuable Art with great Succefs. . . . .

What Lord Stanhope expected from his invention of the improved method may be gathered from the following amusing letter, which, notwithstanding superscription and signature, is, if not entirely written by him, considerably corrected by his own hand :—

[**S. P.**] LETTER FROM ANDREW WILSON to the Authors, Booksellers, Printers, and Schoolmasters throughout Great Britain and Ireland.

Stereotype Office, Duke Street, Lincoln's Inn Fields,
August, 1803.

Gentlemen,—Permit me to inform you, that Earl Stanhope has lately purchased the two important Secrets of PANTATYPE PRINTING [1], and of STEREOTYPE PRINTING, in order to give them to the Public.

PANTATYPE PRINTING means *universal type printing*; being applicable to all subjects. This new Art, which was discovered by Mr. Andrew Fowlis, Printer of Glasgow, has lately been considerably improved by Earl Stanhope. By means of this ingenious Contrivance, upwards of ONE HUNDRED THOUSAND Impreſsions of an Engraving can be taken, all *Proofs*; that is to say, the last impreſsion will be as perfect as the first. No eye, however accurate, will be able to perceive the smallest difference between them.

STEREOTYPE PRINTING means *fixed type printing*; because, all the Letters in one Page form but *one piece*. I have lately caused a very extensive Office to be erected in DUKE-STREET, LINCOLN'S INN FIELDS, for the expreſs purpose of carrying on this cheap and important branch of Typography, of which the following Specimens are submitted to your inspection.

The several *Stereotype proceſses* of Ged, Funckter, Tilloch, Fowlis, Hoffmann, Pingeron, Rochon, Carez, Gengembre, Gatteaux, Bouvier, Herhan, Pierre Didot, Firmin Didot, and others [2], having been found to be liable to great objections; Earl Stanhope has made, with the

[1] See p. 410.

[2] These persons are all referred to in the article by Camus, *Histoire et Procédés du Polytypage et Stéréotypie*, from which an extract has been printed on pp. 370, 371. This work is the source from which Lord Stanhope drew much of his knowledge of the process of stereotyping. To Ged's account of himself reference has already been made. As to Funckter, he was 'Un imprimeur-libraire d'Erfort, nommé J. Michel Funckter.'—*Camus*, p. 446.

F. I. J. Hoffman was a native of Alsace (*Camus*, p. 456).

J. C. Pingeron, a French scholar and littérateur, who, among other works,

afsistance of Mr. Fowlis, a Series of systematic Experiments upon this Art; and he has, at different times, discovered four new *Stereotype procefses* which, when combined, produce *Stereotype Plates*, superior to all others in point of perfection, and yet inferior in price.

Accuracy, and the securing publishers against the usual *risk*, and the great advance of capital which would otherwise be necefsary, together with the saving of the *interest* and *compound interest* thereon, are amongst the striking advantages of STEREOTYPE PRINTING. This valuable Art will enable me to afford, at any time or times, an equal Number of copies of any Work which has a very extensive Sale (such, for example, as the Bible, or the Book of Common Prayer,) TWENTY-FIVE *per Cent.* cheaper, than I could do if the same Book were to be printed by me in the usual manner; fupposing that the work, were to be, in both cases, printed wholly at my own expense and risk. For *School Books* this mode of printing will be peculiarly excellent. Such books are, in general, inaccurate, ill printed, and dear. These objections will be removed, by means of this new invention. I have in contemplation to Stereotype several Books for the use of Schools.

published one on the making of electric machines, and another on air balloons, was born about 1730, and died 1795.

The Abbé de Rochon was a French astronomer, mathematician, and navigator, who was born in 1741, and wrote a pamphlet, 'Sur l'art de multiplier les copies.' He died in 1817.

Joseph Carez, a printer at Toul, was the inventor of the cliché. He made this by striking a block of wood, upon which a device had been engraved, into a pan of metal which was cooling; and so formed a mould, from which relief blocks were cast in a different metal. He died at Toul in 1801.

Gengembre is described by Camus on p. 473 as 'ingénieur méchanicien de la monnoie'; and Herhan as 'son beaufrère.'

Gatteaux was 'graveur en médailles' (p. 483).

Bouvier was a 'filigraniste' (p. 485).

François Didot, the first founder of the famous firm which still bears his name, was born in 1689, and died in 1757.—He had two sons. The elder, François-Ambroise Didot (the 'F. Didot' alluded to by Lord Stanhope), was born in 1730, and died in 1804.—*He* also left two sons, Pierre, who became famous as a printer (the 'P. Didot' of Lord Stanhope), and Firmin Didot, who was also a typefounder and publisher.—A brother of F. A. Didot (i.e. Didot II), viz. Pierre-François, succeeded to the bookselling business of the first Didot, and left three sons, two of whom became typefounders, and the third invented the first endless paper machine. —Returning to the elder branch, the fourth generation were Jules Didot (1794–1871), Ambroise Firmin-Didot (1790–1876), Hyacinthe Firmin-Didot (1794–1880), and Frédéric Firmin-Didot (1798–1836).—The fifth generation of Didots gives us Alfred Firmin-Didot (born in 1828), and Paul Firmin-Didot, his cousin (born in 1826).—The firm is now in its sixth generation: Maurice Firmin-Didot (born in 1859), and René Firmin-Didot (born in 1866). The last, with their cousin M. Lucien Hébert, constitute the firm of Firmin-Didot & Cie. at the present day (1896).

I am already at work on '*Fenning's Universal Spelling Book improved.*' And I am in hope ſhortly to begin some Instruction Books about *Arithmetic*, of uncommon excellence. The importance of reducing the price of such Works is greatly increased ſince the ingenious and admirable System of Mr. Joseph Lancaſter[1] (a Quaker) has been carried into execution, at his Academy in the Borough Road, where between *three and four hundred Boys* are daily taught Reading, Writing, and Arithmetic by *one* Schoolmaster only, by means of this new Method of teaching, which promiſes to be ſingularly useful to the rising Generation.

In consequence of another plan, I shall have it in my power, some time hence, to print Music, at a cheap rate, and in a manner much more beautiful than any which has ever yet appeared.

Other Discoveries of peculiar importance to the perfection of the typographic art, have also lately been made by Earl Stanhope. One of a new principle, and in a superior manner of executing the Printing Press, and likewise in a new Combination of Printing Presses. By means of this invention, the united advantages will be obtained, of *cheapneſs*, *beauty*, and *dispatch*. The following ſpecimens were printed, with this newly invented Printing Press by Mr. Bulmer of Cleveland Row, St. James's. The Preſs was executed, under Earl Stanhope's inspection, by Mr. Robert Walker of Vine Street, Piccadilly.

The *Stereotype Plates*, used for printing those Specimens have all been made by me, according to the improved Proceſs discovered by Earl Stanhope.

All the original Types, employed for forming those *Stereotype Plates*, were cast by Mr. Vincent Figgins of West Street, West Smithfield; except the *Two Lines Great Primer*, the *Two Lines English*, the *Great Primer* and the *Pica*, which were cast by Caslon and Catherwood of Chiswell Street; and except the *Diamond*, which was cast by Fry, Steele, & Co., of Type Street, Chiswell Street.

The printing Ink which was used for printing the present Publication, was made according to Earl Stanhope's Directions, by Mr. Graham, of Duke Street, Lincoln's Inn Fields. The Method of making it, is an

[1] Joseph Lancaster, the founder of the Lancastrian Schools for teaching poor children in London, was born in 1771 or 1778, and died in America in 1838. See 'Improvements in Education as it Respects the Industrious Classes of the Community, containing a Short Account of its Present State, Hints towards its Improvement, and a Detail of some Practical Experiments Conducive to that End. By Joseph Lancaster. Second edition, with Additions. London: printed and sold by Darton & Harvey, Gracechurch Street; J. Mathews, Strand; and W. Hatchard, Piccadilly. 1803.'

improvement on the original Plan of the ingenious Charles Wilkins, Esq., F.R.S. Mr. Graham is of opinion, that he ſhall hereafter be able to afford this excellent Ink, at considerably *less than half the price* at which the best ſort of printing Ink has hitherto been sold by him.

By uniting the advantages of the newly invented PRINTING PRESS, with those which result from the other new invention called PANTATYPE PRINTING, Printers will be enabled to afford, at a low price, PRINTS, MAPS, PLANS, PAPER-HANGINGS[1], &c. of superior excellence.

It is pleasing to reflect, how the abovementioned Inventions, when properly combined, might tend to give new vigour to many important Branches of the Printing Buſineſs; and in what manner, they might afford fresh employment to Compositors, Preſsmen, Type-Founders, Printing-Press-Makers, Paper-Makers, and Artists of various descriptions. Those discoveries would open, to this Nation, many new and most valuable Branches of Foreign Commerce, if it were not for the TAX UPON PAPER, which, of all the Taxes in this Country, is, without exception, the most injurious and the most impolitic. For, it is evident, that every Impediment improperly thrown in the way of giving to the Community at large, *a good Education*, must tend, in a high degree, to affect the Morals of the People, and to decrease moſt injuriously, and in a variety of respects, the general Industry of the Nation. These are Evils, which result of Necessity, from this TAX ON EDUCATION. And the extent of those Evils, in a *religious* point of view, as well as in every other, is literally beyond the bounds of calculation.

If that Tax were (as it ought to be) repealed *in toto*, it might then be poſsible to reduce the price of such works as are beautifully printed, and as have also a very extensive sale, at least FIFTY *per Cent.*; by uniting the benefits arising from such *Repeal*, to those which arise from STEREOTYPE PRINTING, and to those which arise from the newly invented PRINTING PRESS abovementioned, and likewise to thoſe which arise from the new manner of Logotype printing[2] and of forming the *Lower-*

[1] It would seem that paper-hangings were at this time printed at the hand-press.

[S. P.] [2] *Logotype Printing* signifies printing by means of syllables and words, inſtead of single Letters only. The STANDING RULES of the STEREOTYPE OFFICE, and the three specimens in the *Small-Pica Type* (one of which is in prose, and the other two, in verſe) were all of them *logotypically composed*, previously to their being *Stereotyped*. The Reader will not be able to obſerve in those Specimens any Letters of an improper elevation, nor any Letters at improper distances apart, nor any Letters which range unevenly. Nor will he, by the inspection of those Specimens, be able to discover, which are, and which are not, the new *logotypical* combinations.

(For further details as to the Stanhope logotypes, see pp. 405–409.)

Case, and the new Method of *inking the Types*, without using any Balls at all; all of which things, have lately been invented by Earl Stanhope.

The TAX UPON PAPER operates against the Trade of this Country, in a manner so injurious, that Foreign Nations can now *undersell* the English Booksellers, in foreign markets, above TWENTY *per Cent.* As soon as any popular work makes its appearance in this Country, it is reprinted abroad. In various parts of Germany, they have printed the works of Locke, Pope, Milton, Swift, Addison, &c. Even in such a remote place, as Basil (*sic*) in Switzerland, they have lately printed several English Books. In France, not lefs, as I am informed, than *three Stereotype editions of Shakespeare's Works*, of different fizes, are now going forwards.

The injury refulting from the TAX UPON PAPER will be obvious from the following consideration; namely, that the account of that Tax is much greater, than the Sum for which the Smuglers are ready to undertake to import Foreign Paper into London, having the Water-mark of some English Paper Maker exactly imitated, and being in all other respects similar to the English Manufactory.

It is well worth observing, that the new inventions mentioned above, render the Repeal of the TAX UPON PAPER the more necefsary, and the more urgent. The reason is as follows. The Amount of the Tax forms a certain Part of the price of each Book. But, the *same Tax* will clearly form a much *greater* Part of the price of the same works respectively, whenever the STEREOTYPE PROCESS and the newly invented PRINTING PRESS, &c. shall have reduced the Price of Books. So that, whatever may be the preference which is now created by the Tax, in favor of Foreign Books, to the injury of the English Commerce; that preference, when those new inventions shall be known abroad, will (for the reason just afsigned) be much *greater* hereafter, even than it is at present. Consequently the TAX UPON PAPER ought to be repealed[1]; especially as such Regulations have been planned as will effectually prevent the Stationers from being injured by the repeal of the Tax on account of their present stock on hand.

One plausible objection has been made, by some Persons, to the new Invention of STEREOTYPE PRINTING; and that is, the Injury it may be of, to those Booksellers who have a great Number of copies of any work at present unsold. For, it is said, if the same Book, were, by means of the STEREOTYPE PLATES, to be printed in a manner more beautiful, and TWENTY-FIVE *per Cent.* cheaper; no Person would purchase the other work.

[1] It was not repealed, however, till fifty-eight years later. (See note p. 389.)

In order to obviate this objection, it has been suggested to me, by Earl Stanhope, that it might be proper for me to write a circular Letter to the Gentlemen in the Trade, to request them to send me a List of those Books (not private property) of which they have now many Copies unsold; in order that I may at prefent refrain from stereotyping them.

As application might be made to me, by some of the Booksellers to *stereotype* for them, certain works of which other Booksellers might have a very considerable Number of Copies in hand; and as I fhould be sorry, at the time I am eftablishing in this Country, this moft beneficial mode of printing, to be made inftrumental in prejudicing any Individual; it is my intention to avoid *ftereotyping* such Works of which many Copies remain unfold, if I fhould have early information of that Fact; unlefs I fhould fee, in any particular inftance, a fufficient *public* reason, for making an exception to the general rule.

I trust, Gentlemen, that you will fully approve of the fair and equitable manner, in which this new mode of printing is proposed to be conducted. And I also hope that the STANDING RULES OF THE STEREOTYPE OFFICE will meet with public Approbation.

I have the honor to be, Gentlemen,

Your moft faithful, and obedient Servant,

ANDREW WILSON.

The last three lines, including the Andrew Wilson signature, are entirely in the writing of Lord Stanhope.

On March 15, 1805, Lord Stanhope offered to instruct the Oxford University printers in the new art. The following extracts are from the Delegates' Minute-books:—

[**D. M.**] March 15, 1805.—At a Meeting of the Delegates of the Press in the Delegates' Room—Present, Mr. Vice-Chancellor, Mr. Price, Dr. Jackson, Dr. Hughes, Dr. Routh, Dr. Parsons, Mr. Ellerton, Sen. Pr[octor], Mr. Barnes, Jun. Pr[octor]:—A Letter from Mr. *Wilson*, Stereotype Printer, proposing to treat with this University upon the Adoption of this new Mode of Printing, was read to the Board; and it was referred to the Bible Committee to communicate further with him upon the Subject.

[**D. M.**] March 26, 1805.—The Bible Committee having this Day reported the result of their Communications with Mr. *Wilson* on the subject of his Proposals to put the University in pofsefsion of the Art of Stereotype Printing—Order'd, That the Bible Committee be requested to confer with Mefsrs. *Dawson*, *Bensley*, and *Cooke*, the

Partners of the University in the Bible Prefs, upon the Proposals so made by Mr. *Wilson.*

[**D. M.**] Meeting holden April 30, and adjourned to May 1, 1805.—The Bible Committee—in pursuance of the directions of the Board of Delegates of the Prefs, having communicated with Mr. Wilson (April 5, 1805) and likewise with the Partners in the Bible Prefs on the subject of adopting Stereotype Printing,—Report That, from the information laid before them, it appears that the art of Stereotype Printing has been so far advanced towards a state of perfection as to leave no probable doubt of the eventual succefs of it: That the beauty and regularity of the works, the superior correctnefs which must attend Impreſsions so taken, and the ultimate savings in point of expense, are indisputable. That Mr. Wilson has laid before the Committee proposals for putting the University of Oxford in poſsefsion of the Secret, and the means of carrying on the Stereotype Printing, as already carried into execution at the University of Cambridge [1]. That, the University of Cambridge being in poſsefsion of the Art, it seems not only expedient, but necefsary, that Oxford should be poſsefs'd of the same advantages.

That the Partners, upon reference, represent the state of the Stock in the Bible Warehouse at this period to be such as is particularly favorable to the immediate commencement of the Undertaking. And they further state that they are ready to join with the University in carrying on the Businefs of Stereotype Printing upon equitable terms, *taking into account* the relative Interests and Situations of the Parties.—(Signed) W. Bangor, J. Parsons, W. Jackson, W. Dawson, T. Bensley, Jos. Cooke.

[**D. M.**] May 2, 1805.—The Report of the Bible Committee on the Subject of Stereotype Printing having been this day laid before the Delegates—Resolved, That the Board does agree with the Report, and that it is their opinion that the businefs of Stereotype Printing be

[1] 'Early in 1804, and soon after Richard Watts had been elected Printer to the University of Cambridge, a proposal was made to the University by Andrew Wilson, a London printer, that he should, upon terms to be agreed upon, communicate his secret respecting stereotyping. This secret was the invention of Earl Stanhope, who refused to receive anything in respect of it, or even the repayment of the sum of £6,000 spent in experiments.' 'August 8, 1807.—An agreement was entered into for the acquisition by the University [of Cambridge] of Wilson's stereotype secret, for which the following sums were to be paid: £2000 on execution of the agreement: £1000 advanced to Wilson, May 29, 1805, to become his property: £1000 when the sales from March 25, 1807, shall exceed £4,500: £2 for every £45 of such excess till it reaches £1000; but if that sum shall not be reached till March 25, 1818, no further payment to be made.'—Robert Bowes, Notes on the University Printers of Cambridge, pp. 325, 328.

immediately adopted by the University of Oxford. That the Vice-Chancellor be requested to consult with the Delegates of Accounts for the purpose of learning from them what afsistance, by loan of Money, can be given to the Delegates of the Prefs towards carrying the undertaking into execution.

[**D. M.**] May 10, 1805.—The Vice-Chancellor reported from the Delegates of Accompts that they are ready to lend the Sum of a Thousand Pounds towards the Money to be paid to Mr. *Wilson* for the Communication of his Secret in the Stereotype mode of Printing.

[**D. M.**] May 17, 1805.—Resolved, That the Vice-Chancellor be requested to desire Mr. *Wilson's* immediate attendance at Oxford with such means as may best expedite the businefs of the Stereotype Printing, and form such arrangements as may prepare the Foundery, Prefses, &c., and adjust the particular articles of an Agreement. Resolved, That the Vice-Chancellor be requested to make an application to each of the Radcliffe Trustees, in the Name of this Board, stating, the extraordinary Demands of Money upon the Delegates of the Prefs, to enable them to adopt the Stereotype mode of Printing which is now become necefsary to the support of the Interests of the University, and to the maintenance of their Privilege of printing Bibles and Prayer Books. That the full amount of these demands, in the Premium to be given to the Inventor, and in other incidental expences, falls little short of six thousand Pounds—Three thousand of which immediately requisite will be least conveniently raised by the Delegates: and that they therefore request the favor of the Trustees to afsist them with a temporary loan of such part of this Sum as may be convenient; the whole of which they hope to be enabled to repay in a very few years.

[**D. M.**] May 21, 1805.—That the Bible Committee be requested to confer with Mr. *Wilson*, and arrange with him the Particulars of the Agreement to be entered into with him, and prepare an Instrument to be executed by both Parties; and to consider any other matters relating to the Stereotype Printing, to be reported to this Board.

[**D. M.**] May 30, 1805.—The Bible Committee, having this day read from their Minutes the Articles of Agreement proposed by them to be made with Mr. *Wilson* respecting the printing in Stereotype—Order'd, That the same be approved, and that a Copy be sent to Ld. *Stanhope*, requesting him to signify an approbation and ratification of the same on his part, afsuring themselves that in that case he will be ready to afford them any facilities in the execution of the undertaking which he can now, or at any future time may be able to, afford.

[**D. M.**] June 10, 1805.—The following Resolution of the *Radcliffe* Trustees, transmitted to the Vice-Chancellor by their Secretary, Mr. Wall, in Answer to an Application from this Board, was read:—'*Monday, June* 3, 1805. The Trustees of the late Dr. *Radcliffe* having this Day taken the Resolution of the Delegates of the Press, at their Meeting on Friday, May 27, 1805, into their Consideration, have consented to afsist the Delegates with a Sum of three thousand Pounds for the purpose of enabling them to adopt a Mode of Printing which they may deem to be necefsary to the support of the Interest of the University and to the Maintenance of their Privilege of printing Bibles and Prayer Books. N.B. It is the Intention of the Trustees to advance this Sum without Interest, and they will give Directions to Messrs. Hoare, their Banker from time to time to pay the same to the Order of such Person or Persons as may be authorized by the Delegates to draw for the money.'—Ordered, That the Vice-Chancellor be requested to signify to each of the Radcliffe Trustees the Thanks of this Board for the Readiness with which They have been pleased to take the Request of the Delegates into their consideration, and for the very liberal manner in which they have resolved to accommodate the University with the Loan of three thousand Pounds for the Use of the Clarendon Press.

[**D. M.**] June 21, 1805.—Ordered, That the form of Articles of Agreement between the Delegates of the Press and Mr. Andrew *Wilson*, exhibited this day, be approved, and referred to Mr. *Morrell* to be put immediately into legal form, in order that it may be executed by the Parties.

Articles of Agreement had made concluded and agreed on this twenty-second Day of June one thousand eight hundred and five, between Andrew Wilson of Duke Street, Lincoln's Inn Fields, London, Printer, and The Reverend Whittington Landon, Doctor in Divinity, Vice-Chancellor of the University of Oxford, The Right Reverend William Lord Bishop of Bangor, The Right Reverend John Lord Bishop of Oxford, the Reverend Martin Joseph Routh, Doctor in Divinity, The Reverend David Hughes, D. in Divinity, The Reverend John Parsons, Doctor in Divinity, The Reverend William Jackson, Doctor in Divinity, George Williams, D.M., the Reverend John Price, B.D., and the Reverend Peter Vaughan, M.A., the Reverend Thomas George Clare, M.A., Proctors of the said University, Delegates of the Clarendon Prefs in the said University of Oxford as follow, that is to say—

I. The Basis of the present Agreement is that in Consideration of the Sum of four Thousand Pounds to be paid by the said Delegates to

Mr. Wilson, the said Mr. Wilson by and with the Advice and Approbation of the Right Honourable Earl Stanhope undertakes to put two Gentlemen nominated by the Board of Delegates, viz. Mr. Thomas Bensley and Mr. Samuel Collingwood, in immediate Poſseſsion of the secret Processes of the new Art of Stereotype Printing invented by the said Earl Stanhope, and also to communicate the said Processes at any time hereafter, when required by the said Delegates or their Successors, to any third person to be nominated by the said Delegates.

II. That the said Sum of four Thousand Pounds shall be paid to the said Mr. Wilson in three Instalments; that is to say, two thousand Pounds at the signing of this Agreement, One thousand Pounds on the twenty-first of December next, and the remaining one thousand pounds on Midsummer Day One Thousand eight Hundred and six.

III. That the said Delegates and their Successors and the Persons so named shall be at full Liberty to apply the said Processes of Stereotype Printing to the printing of Bibles, Testaments, Prayer Books, and in general to the printing of any other Work or Works for the Use and Benefit of the University.

IV. That the said Mr. Wilson undertakes and agrees not to communicate the said secret Processes of Stereotype Printing to any other Public Body or private Individual for the purpose of using the same in the printing of Bibles, Testaments, and Prayer Books, excepting the University of Cambridge, in that part of Great Britain called England, under the Penalty of eight thousand Pounds, unleſs Earl Stanhope shall at any Time after the first day of July in the Year One Thousand eight Hundred and seven think proper to communicate the said secret Processes Gratis to the Public at large (!)

V. That the Persons to whom the said secret Processes shall be so communicated shall be bound not to discover any Part of them to any Person or Persons, nor to use the same for any other Purpose than those above mentioned, under the seperate (*sic*) Penalties of Eight Thousand Pounds to be paid as well to the said Delegates and their Successors as to Mr. Wilson, Except that in case any of the Persons to whom these Processes shall be communicated shall die or cease to act for the University, then in that case it shall be allowable for the Person or Persons who shall survive and continue to act for the said Delegates and their Successors to make the necessary comunications to some Person or Persons to be appointed by the said Delegates or their Successors in the room of the above named Person so dying or ceasing to act.

VI. That in case Earl Stanhope shall at any Time make known to the Public the said secret Procefses as mentioned in Article IV, then all obligation to Secresy to cease (!).

Witness their hands—WHITTINGTON LANDON, Vice-Chancellor, WILLIAM BANGOR, J. OXFORD, W. JACKSON, DAVID HUGHES, M. J. ROUTH, J. PARSONS, G. WILLIAMS, J. PRICE, PETER VAUGHAN, Senior Proctor, THOMAS GEORGE CLARE, Junior Proctor.

ANDW. WILSON.

Witness to the execution by all parties,
ROBERT MORRELL, Atty. at Law, Oxford.

Received at the Time of the signing hereof of and from the Delegates the Sum of Two Thousand Pounds, in part of the Consideration Money in the above Agreement mentioned to be paid to me for the Purposes therein mentioned—I say received,

ANDW WILSON.

(Copy.)

Meantime Lord Stanhope continued his experiments, sometimes at A. Wilson's Office in Duke Street, Lincoln's Inn, but sometimes at his own house at Chevening [1]. He made copious notes of his conversations with his workmen and others—with Christopher Matthews the chief stereotyper; with Fergusson who was apparently in charge of the office types; with the people he met in the street; with Mr. Richard Watts of Cambridge; and Mr. Whittingham of London. Every scrap of information was recorded and carefully preserved, sometimes on a bit of paper not two inches square. For instance:—

[**S. P.**] June, 1805.—Mr. Watts [2] says 1 Man & 1 Lad, make in 3 or 4 days of one week, *One Hundred & forty* good *ſtereotype* Plates. The Windows much open. They light the Fires before they begin to *mould*, in order to make the Room *dry*. They do not mould till the Lady of the Weather House comes out.

The agreement with the Oxford Press was speedily acted upon. Three months after its execution, special types, prepared no doubt under Lord Stanhope's advice, were provided:—

[**D. M.**] October 17, 1805.—Mr. Bensley and Mr. Cooke report, That the Preparations for Stereotype Printing are in great forward-

[1] Lord Stanhope seems to have had a stereotype foundry at his country-house. Hansard speaks of a 'relic of the Chevening Foundry.' (Typographia, p. 475.)

[2] Mr. R. Watts was printer to the University of Cambridge from 1802–1809.

nefs, and that they think the Nonpareil Bible should be one of the first Articles so printed, and they therefore desire to receive Instructions, what Rule they are to follow respecting Heads of Chapters, &c., and what Provision should be made for better correcting this and all other works. . . . It was further stated that two new Founts of Type for Stereotype Printing have been already provided, specimens of which were exhibited.

[**D. M.**] November 20, 1805.—On representation from Messrs. Bensley and Cooke of the difficulties which had occurr'd in reducing the Stereotype to practice, particularly that the greater part of Editions now in use, and some which are of more general sale cannot be so printed without considerable alteration of the blocks[1], it was agreed that Mr. Bensley wait on Ld. Stanhope to represent and explain this difficulty to him, and request his afsistance in the removing it, and accommodate the invention to the purposes of this Press.

[**S. P.**] December 24, 1805.—Converfation with Kit Matthews of the Stereotype Office at Chevening Houfe. [Then follow memoranda about brushes and coals.] The *pontops*, & *blacksmith* Coals, are not approved of; but the *large Coal*, of the size of the fist, or larger, called *Bigs Main*, are the beft Coals they have had.

[**D. M.**] January 21, 1806.—Several difficulties relative to the proceeding in the Stereotype Editions of the Nonpareil Bible, Pica Testament, and C. Prayer, and Welch Bible were consider'd. . . . Some progress has also been made in accommodating the Blocks to all our Editions, but nothing is as yet decided. Mr. Bensley having laid before the Committee Messrs. Walker and Keating's account of expences incurr'd in the New Foundry[2], it was recommended that he should prepare a more particular account before the general Board, and state what he thinks right to be advanc'd on this account. . . . Propos'd to insure the new Warehouse and Foundry

[1] Stereotype blocks are foundations upon which plates are laid for book-printing. Lord Stanhope describes his as 'iron blocks, which are cut to such a thickness, that a plate and a block together are exactly type height. There is an overhanging ledge upon each side of the block, the whole length of it, and cut to fit the sloping sides of the plate. One of these ledges is fixed; the other moveable, to admit of putting in and taking out of the plate. In the moveable ledge there are three screws, by which the plate is held very flat and firmly.'—Hansard's Typographia, p. 884.

[2] Three cottages belonging to Wadham College were sold to the University in 1796. 'The College seal was set to the conveyance on November 5 in the same year, and the University at once proceeded to build on the site of the cottages a foundry and warehouse for carrying on the then novel art of stereotyping.'—Wadham College, Oxford, by T. G. Jackson, p. 130.—But as Lord Stanhope's first proposal to the Delegates was not made till 1805, it looks as though this warehouse was not at first intended for a foundry.

at £1500 the building, and £3000 for the utensils, Furniture, and Stock in Trade.

[**D. M.**] January 31, 1806.—To determine respecting the expence incurr'd by Stereotype Printing what part is to be paid by the Partnership and what by the University as to present issues—Mr. Dawson having already advanced £1700 in consequence of which no dividend can be made at present.

[**D. M.**] April 29, 1806.—Mr. Bensley and Mr. Cooke report that the following Progress has been made in stereotyping certain editions of the Bible, Testament, and Common Prayer. . . . They report further, that many of the difficulties that have hitherto prevented their beginning to cast plates for the Welch Bible (especially with respect to accented letters, &c.) have now been surmounted; and that they hope immediately to be able to go on with the work.

[**D. M.**] October 21, 1806.—The Brevier Prayer Book in Stereotype was exhibited, finish'd, and ready for sale—2000 copies.

[**D. M.**] January 27, 1807.—Messrs. Dawson, Bensley, and Cooke attended. They reported—That in printing the Long Primer New T. an additional expence is incurr'd by printing the same in Stereotype, so that these books (exclusive of Composition on the one hand, and Carriage, and the Drawback[1] on the other) cost 17*d.* per copy, and are sold at 15½*d.*—this is owing to the superior quality and size of the paper—the quality being nearly the same with that of the books printed

[1] By the 2 & 3 Vict. c. 23 a drawback or allowance of 1½*d.* per lb., being the full amount of the Paper Duty, was granted 'for all paper made and charged with duty in the United Kingdom which shall be used in the printing of any books in the Latin, Greek, Oriental, or Northern languages within the Universities of *Oxford* and *Cambridge*, or within the Universities of *Scotland*, or the College of the Holy and Undivided Trinity of Queen *Elizabeth*, *Dublin*, by permission of the Vice-Chancellors, Rectors, or Principals or Provost of the said Universities respectively, or which shall be used in the printing of Bibles, Testaments, Psalm Books, Books of Common Prayer of the Church of *England*, the book commonly called or known in *Scotland* by the name of "The Confession of Faith," or the Larger or Shorter Catechism of the Church of *Scotland*, within the Universities of *Oxford* and *Cambridge* and *Trinity College*, *Dublin*, by permission of the Vice-Chancellors or Provost of the same, or by the Queen's Printers in *England*, *Scotland*, and *Ireland* respectively.' By § 44 the chief manager of the Oxford Press (among others) was bound to give forty-eight hours' notice to the proper officer of Excise of his intention to go to press with a book: the exciseman attended and inspected all the reams of paper which it was proposed should be used. Then within one month after the completion of the work that official returned to the Press, weighed the printed sheets, and gave a certificate on which the drawback was paid to the Vice-Chancellor or to his nominee. The Paper Duty was abolished in England by the 24 Vict. c. 20 (1861).

in Stereotype by Cambridge, and the very size wch. in paper of the same quality entitling the Paper-maker to an higher price.

All this time Lord Stanhope's experiments were still going on, and he records them with a minuteness which it would be tedious to give in detail. Thus :—

[**S. P.**] August, 1807.—Kit Matthews says that as soon as he has moulded four moulds, &c. Mr. Fergusson. Exp[erimen]t. With four moulds, &c. Kit Matthews told me, &c.

[**S. P.**] August 24, 1807.—Exp[erimen]t at Stereotype Office, &c.

[**S. P.**] October, 1807.—Kit Matthews told me, &c.

At Oxford, if not successful, the University printers were at any rate hopeful :—

[**D. M.**] October 29, 1807.—Present, the Master of Balliol. With respect to the Stereotype Foundery, within the last year very considerable Improvement has been made both with respect to the Quality, and the Number, of Plates cast, within a given time, at the same Expence, and with the same number of workmen employed. And Mr. Bensley, in particular, reported that his Opinion of the Advantages to be derived *ultimately* by the University from the Stereotype Invention, is now more favourable than it has been at any former Period. That though the heavy Expenditure which now takes place must necefsarily be continued, in a great degree at least, till the different Editions shall have been stereotyped, yet that some Return will now begin to be made, which will, of course, gradually increase, and, as he hopes, in the course of years, *ultimately* redound to the benefit of the University.

[**D. M.**] Dec. 10, 1807.—The attention of the Committee was next occupied, in adjusting with the Partners what compensation should be made by the Partnership to the University for the use of stereotype plates (such plates to remain for ever the sole property of the University), when the most equitable and simple mode appear'd to be, that the Partnership should pay to the University the actual price which would have been paid to the Compositor upon each Impreſsion (it being agreed also, that so often as any advance may hereafter take place in Compositors' wages, a like advance shall take place in the payment here mentioned), the number of Copies constituting an Impression to be determined by the former practise as to the quantity used to be taken off at one Impreſsion of each Article, which in the Articles already stereotyped would be as follows :—

		To be paid for use of the Plates.		
		£	*s.*	*d.*
Long Primer Test., each impreſsion	10,000	18	1	0
Brevier do.	20,000	22	15	0
Pica Prayer	7,500	18	19	3
Brevier do.	10,000	20	13	0

The same method of calculating the payment for plates to be used in all other Articles hereafter to be stereotyped—excepting, that on account of the peculiar Circumstances of the Nonpareil Bible 12mo—10,000 should be deemed an Impreſsion of this work, and £65 be paid for each Impreſsion for the Use of the Plates.

The Committee also proceeded in pursuance of the general aſsurance before given to Messrs. Bensley and Collingwood, to consider what compensation it might be fit to make to them for their extraordinary trouble and attention in superintending the general progreſs of Stereotype Printing at the Clarendon Press, in obviating several unforeseen difficulties in the execution of such work, and in bringing the invention to its present state of perfection—which without such assistance the Committee were fully of opinion, could not have been effected for a long time to come—and taking into account also, that it would certainly be most for the interest of the University to make such recompense bear a proportion to the work executed—The Committee adjudged, that the best mode of making the remuneration would be to allow to Messrs. Bensley and Collingwood One shilling per page per Plate, upon its being ascertained, so soon as each work is finished, of what number of pages it consists and what number of plates have been cast.—The Committee determining also that such remuneration will in no degree be too large either for the trouble incurred, or the advantage which the University will ultimately derive, from their being enabled so to accelerate the putting forth of Stereotype Works.

But if the experiences of the University were not immediately satisfactory, neither were those of Mr. Andrew Wilson, judging by a lengthy memorandum, addressed to his patron, and signed 'A. W.' The significant blank at the end of his figures, which he left for Lord Stanhope 'to fill up,' seems to show that there was no definite arrangement between them on the subject of stereotyping, although the writer speaks of the 'remuneration or reward which A. W. should have' *before* the processes were made public :—

[**S.P.**] Estimate of the State of the Stereotype Businefs at Christmas 1808. Made up from the Account-Books of A. Wilson: —

Cash expended by A. Wilson since the commencement of the undertaking in 1802		£9,330 0 0
Interest of the annual balances		2,112 0 0
		£11,442 0 0
Cash recd. from the Universities . . .	£7,900	
Of which A.W. appropriated to his own use	4,200	
And expended in the business		3,700 0 0
Total Expenditure . . .		£15,142 0 0
To meet which, there are Afsets in the		
Amount of Inventory of actual property in Jany. 1808	£7,225	
Supposed amot. of Work that will be finished by Christmas, 1808 . .	2,000	
Sunk stock	9,225	
And in the above sum of the Universities' money	4,200	
		13,425 0 0
A.W.'s loss in hard cash at Xmas 1808 (more or less, dependant upon the amot. of work that will then be finished)		1,717 0 0
What is the amount of expenditure, prior to the businefs being in a state of capability? It is the difference between £15,142 and £9,225—being £4,917, of which not a sixpense exists in any shape whatever.		
Carry over this loss of		1,717 0 0
And add to it,		
1st, The sacrifice of his businefs in Wild Court, which *surely* cannot be over-rated at the price he paid for it, namely, ...		1,476 odd
		£3,193 0 0
2ndly, A. W.'s personal expenses for a period of seven years, which no man can consider over-rated at £500 a year		3,500 0 0
Debt actually due to A. W. by the public . .		£6,693 0 0
3rdly, The remuneration or reward which it was agreed A. W. should have, for his risk, anxiety, and perseverance in the undertaking, (*prior to the processes being made public*) during a Stereotype apprenticeship of seven years, (This item he leaves to Earl Stanhope to fill up) . . .		
And it will appear that the sum of		£

should be fairly in A. W.'s pofsefsion, in some way or other, as his

own absolute property, previous to any person or persons being permitted, through the medium of Earl Stanhope, or of persons employed by his Lordship, to exercise the art of Stereotype Printing.

A. W. has drawn up this Statement, in the perfect confidence that he will be favoured with Earl Stanhope's candid Sentiments thereupon. He is not aware that upon any one occasion he has ever taken a decisive step without consulting his Lordship in the first instance; and the strange things that have been lately acted render a very decisive step necessary at the present time, upon which, as heretofore, A. W. wishes to be regulated by Earl Stanhope.

A. W.

What Earl Stanhope replied to this communication is not on record; but it would seem from the following that Andrew Wilson and his patron quarrelled and parted. Wilson's demand for an unexpressed but enormous sum in thousands of pounds from Lord Stanhope had evidently disgusted that nobleman:—

[**S. P.**] Memorandum, April 22, 1809.—Kit Matthews brought me a ſmall roller, &c. The 1st 16 weeks, Kit recd. only 1£ 8*s.* 0*d.* from Mr. Wilson! Mr. W. has been *once* only in foundery in 18 months. Now not even allowed without Kit's Leave[1].

At Oxford, however, things were beginning to improve:—

[**D. M.**] May 17, 1809.—In consequence of the abovementioned Editions having been finished, a considerable reduction has recently been made in the Expences of the Establishment at the Stereotype Foundery.

More of Lord Stanhope's scraps:—

[**S. P.**] June 26, 1809.—Mr. Watts (of Cambridge) said twelve stereotype plates = one bushel of coals.

[**S. P.**] November 7, 1809.—The Bank ſtereotypes are all caſt *face* down. (E. S. Absurd.)

[1] 'Some misunderstanding between Earl Stanhope and Wilson subsequently led to the engineer, Walker, who constructed the Stanhope press and fitted up Wilson's foundry, being encouraged to set up a stereotyping foundry on his own account, and as an opposition to Wilson. Of course this proceeding led to a rupture between Wilson and Walker. A mechanic named Peter Kier was employed by Wilson to make the apparatus, and he introduced several improvements in it. Shortly after a quarrel also arose between him and Wilson, when Walker, in revenge, announced that he would for the sum of £50 divulge the entire process to any person.'—'Stereotyping and Electrotyping.' By F. J. F. Wilson. (London: Wyman.) [1879.] Page 18.

[**S. P.**] [Same date].—Kit Matthews can make 6 plates (Ainſworth size) per Hour nearly on an average.

[**S. P.**] [Kit Matthews] says the man who came from Oxford neither knew how to mould, how to dry, how to dip, nor how to make good backs. Kit says both Universities have high quadrats.

Again at the Press :—

[**D. M.**] June 2, 1812.—Mr. Bensley recommended that the intended edition of the Welsh Prayer-book in 12mo be printed in stereotype.

[**D. M.**] October 26, 1813.—It was agreed between the Committee and the Bible Partners that in future the Payments to the University for the use of Stereotype Plates be made at two stated periods in the year—namely, on the 25th of March and the 29th of September.

[**D. M.**] October 23, 1818.—Order'd, That a new Edition of the non-pareil 12mo Bible be stereotyp'd; that the same Book with the addition of marginal References be also stereotyp'd; and that Type be order'd for a new Edition of the 24to Bible, to be kept standing.

[**D. M.**] March 15, 1823.—The Partners[1] having recommended that the Stereotype department be merged in the common concerns of the press, and carried on in future at the joint expenſe of the partnership—and that the plates now in uſe, as well as thoſe which are worn out, be purchaſed of the Univerſity at a fair valuation: Resolved that the Committee approve of this proposition.

[**D. M.**] October 11, 1823.—Mr. Parker having reported that the sum of 3784 18. 6. being the estimated value of the Stereotype plates &c. is now ready for payment, Resolved that the V. C. be deſired to call a meeting to wh. the above report may be communicated.

With its absorption into the general business of the University Press, references to stereotyping necessarily cease to occur in the minute-books. The Delegates hoped for great things from it; but its importance to them was overrated, and they paid for it more than it was worth. There is some evidence that at one time they partly abandoned it[2]. Instead of

[1] Of the partners, Mr. Cooke, Mr. Parker, and Mr. Collingwood were present at this meeting.

[2] 'The University of Oxford, after its vast expenses—first, for the secret, next, for the foundry, and lastly, but perhaps of greatest amount, for years of experience—have partially abandoned it, and have set up entire works in moveable type, in the persuasion not only that the Public would be supplied with better books as to typography, but that they would ultimately find an advantage to their own funds in recurring to the ante-stereotype plan.'—Hansard's Typographia, p. 844.

lessening the cost of production of Bibles, it naturally at first increased the cost, because it added to the work one process more. The gypsum or plaster mould was eventually succeeded by papier-maché; and only with this last, and consequent on the development of the newspaper press, did the success of the process become assured. In book-printing, stereotyping has been superseded by electrotyping; and, although the Stanhope or plaster process is still extant, it has ceased to have any practical value.

III.

The Wooden Handpress and other Appliances which Lord Stanhope superseded.

Remembering that the University printers had been housed in the old Clarendon Press in Broad Street since the year 1714, it may be interesting to describe how they were located in the various parts of that building at the end of the eighteenth century.

As one enters it from the front, on the level of the top of the steps, the room on the right-hand side, with windows looking into Broad Street, was the Classical press-room—i. e. there men tugged at the handpresses of what Archbishop Laud called the 'Learned Press'; and over their heads, placed upon lines by means of a long-handled peel, were suspended some of the printed sheets to dry [1]. The room on the same floor, with windows looking to the South, was the council-chamber or board-room of the Delegates of the Press. Still keeping to the West side, it is said that the rooms above, both in front and at back, were allotted to the compositors and readers of the Learned Press; while still higher, in the 'set off' or loft, were stored the printed sheets after they had been dried in the Music School [2], before they were gathered. The pressing

[1] In this room, a few years later, were five iron presses and a wooden one. The wooden press was removed to Walton Street in 1835, but the only trace of it now remaining, I am sorry to say, is the mahogany platen, which is used as the top of a table made for one of the foremen.

[2] 'Contiguous to the Medicine and Anatomy School, on the same story, was that for Hebrew, afterwards Music and Rhetoric, sometime used as a drying-room for the Press.'—Ingram's Memorials, Vol. ii, No. 47, p. 14.

and other warehouse work was done in the cellars of the Sheldonian Theatre hard by, and there the 'Classical books' were stacked[1].

On the opposite, that is on the East, side of the Clarendon Building was situated the 'Bible Press.' In the rooms on the ground floor, back and front, were carried on the slow and tedious processes of printing copies of Bibles and Prayer Books by hand. Why more slow and tedious than in the case of other works, is it asked? Because while Learned Press books were printed in hundreds, Bibles and Prayer Books were required in thousands. Overhead were installed the Bible and Prayer Book compositors; and when, a few years later, the accommodation for these proved insufficient, some of them 'overflowed' into a house on the other side of Cat Street, now No. 29, where a double-windowed room on the first floor was fitted up with compositors' frames and type-cases.

The printed sheets of Bibles and Prayer Books were dried over the heads of the pressmen, as in the case of the Learned Press books; and such as were required for immediate delivery were pressed and gathered and sent away. Those that remained were stocked in the large room adjoining the Tower of the Five Orders, called the Writing School, now a part of the Bodleian Library. Subsequent orders for the binders involved still another move; for the sheets were carried up to the front of the Clarendon Building, and packed in the passage; then two long planks having been put from the highest step to the top of a wagon drawn up outside, the bales were laboriously pushed and guided into the wagon, in which they securely jogged along the high road to London, where they were bound and supplied to the booksellers.

We have seen that the accommodation afforded at the Printing-house was insufficient for the printer; but what shall be said of his tools and the other appliances of his craft? These had remained almost unchanged ever since the invention of the art of printing. The 'casting' or jerking of the hot

[1] 'A room beneath is still [? 1832] used as a warehouse for the books printed there [at the Sheldonian] and at the Clarendon Press.'—Ingram's Memorials, No. 12, p. 10.

metal into the mould, in making the types, was still always done by hand: the press upon which proofs were pulled, or final copies tediously worked off, was a crazy structure, built, as has been said, of wood, excepting that a stone slab made a bed upon which the forme of type was placed. The descriptions of old writers on printing appliances show how ramshackle the wooden presses were. Their framing was actually intended to admit of yielding; 'the head being packed up with elastic substances, such as scaleboard, pasteboard, and the felt of an old hat. . . . In an elastic press the pressure is gained by screwing or straining the parts up to a certain degree of tension, and the effort to return produces the pressure[1].' Again: 'Every joynt between these are subject to squeeze by the force of a pull. . . . This is the reason that the coming down of the toe ought to be just thus much; for should it be less, *the natural spring that all these joynts have, when they are unsqueezed*, &c.[2]'

To ink the forme the workman dabbed the type with a round 'ball,' or leather pad, stuffed with wool, and nailed to a wooden handle; and the means provided for cleansing these balls, when they became clogged with ink, were very unsavoury[3]. They were soaked in urine, and the pelts, being stripped off, were placed near the feet of the pressman, to be trodden out as he worked.

Again, the light by which the printer was expected to do his work on dark days was afforded by tallow candles stuck in tin candlesticks, which were loaded with lead at the bottom to prevent their being upset. The compositor placed his candles in the boxes of his case. He was allowed two 'fours,' if he happened to be working, as he does now, with three pairs of cases; otherwise he had only one, and this he had to carry with him whenever he went to correct at the 'stone.' The

[1] Dictionary of the Art of Printing. By William Savage. Longmans, 1841. P. 782.

[2] Luckombe's Art of Printing, pp. 311, 312.

[3] Among the curiosities once in the possession of the late Mr. William Blades, author of the 'Life of Caxton,' is an advertisement sheet, post folio in size, announcing the discovery by Mr. Cunningham, printer, of Southampton, of 'A substitute for urine in making and preserving printing-balls, adopted at a meeting of Master Printers, Dec. 11, 1801.'—Catalogue of the Caxton Exhibition, Class K, p. 418.

pressman lodged his in the most convenient places he could find in or near his press. He had three: a 'four' for the bank; a 'six' for the tympan; and an 'eight' for the slab. The foreman printer gave out these candles, and a boy went round in the morning and collected the drippings and gutterings as his perquisite. How the Clarendon Printing-house escaped being burned to the ground long before it was abandoned by the printers is a marvel.

One improvement of the wooden handpress must, however, be recorded, that made early in the seventeenth century by Blaew[1]. It is fully set out in 'The History and Art of Printing, in two parts, by P. Luckombe, M.T.A. London, Printed by W. Adlard & J. Browne, Fleet Street, for J. Johnson, No. 72, St. Paul's Churchyard. 1771.' A frame of iron above and attached to the platen, like a skeleton box, through the centre of which the spindle or screw worked, helped to give a sort of rebound to the platen after the pull was taken. Save for such slight modifications the wooden handpress of 1790 was the counterpart of the wooden handpress of 1490. Not a great change, it must be admitted, in three hundred years. It is curious that, long before any further change was made in the construction of the handpress, the principle of the cylinder machine—a principle upon which all the fast printing-machinery of the nineteenth century is based—had been patented by William Nicholson[2].

IV.

Lord Stanhope's Iron Presses of the First and Second Constructions.

[**D. M.**] October 25, 1796.—Minutes of the Committee appointed by the Delegates of the Press for conferring with the Partners in the Bible trade. Present, &c.—Messrs. Bensley and Cooke reported that . . . three new Presses have been put up since Mr. Bensley and

[1] There were two Blaews, or Blaeuws: William Janszoon the father, born 1571, died 1638; and Joan Blaew the son, born about 1600, died 1673. Both were mapmakers and printers. It was the elder Blaew who improved the press, and who was a friend of Tycho Brahé.

[2] His patent is dated April 29, 1790; although it was not until 1810 that the first 'power' machine was actually constructed by Friedrich König.

Mr. Cooke were admitted partners, two of them on an improv'd construction ; and the rest have been repair'd.

But these three were evidently wooden presses. Blaew's improvement in quickening the pace having only revealed the essential weakness of the wooden press, some change of construction was imperatively demanded. Lord Stanhope was first in the field with a new press, made of iron, and with a system of compound levers for raising the platen after the pull, in lieu of the 'squeezing and *un*squeezing' described by Luckombe, or of a rope and weight. An iron press 'of the first construction' at the present Clarendon Press has letters, sunk deep in the front of the principal iron casting, declaring 'Stanhope invenit'; while, *cut* lower down in a more modest place, is an inscription which records 'Walker fecit.' (*See illustration.*)

On the pamphlet dated 1807, entitled 'Specification respecting Ships and Vessels, by Charles Earl Stanhope,' mentioned already, the imprint is :—'London: Stereotyped by A. Wilson, Duke Street, Lincoln's Inn Fields, and printed by him in Wild Court, at the Iron Press of the Second Construction invented by Lord Stanhope.' The iron presses 'of the first construction' have straight cheeks, and were found to be too weak in the frame. Those 'of the second construction' have rounded cheeks, giving a larger and stronger frame for the principal part of the press [1]. It will be seen that the wooden press failed because it was too weak to withstand the pressure it was called upon to bear; the first iron press also failed, and for the same reason. The real 'Stanhope inventions' were the use of the compound lever and the introduction of a larger platen to print the forme at one impression. This is what Charles Earl Stanhope writes :—

[1] 'Stower, in his "Printer's Grammar," 1808 (p. 499), says Walker was the ironsmith employed by Lord Stanhope to work out his inventions, and the man who made all the first presses: but there was the first, and then an improvement on the first. Your No. 13 is, I suppose, the thirteenth which Walker made for you. The early presses had straight cheeks; and the first of these was, in Johnson's time (1824) and many years after, in the printing office of Bensley. Anyhow, if your press has straight cheeks pray keep it—the round cheeks are common enough.'—(Letter from William Blades, to H. H. dated Dec. 4, 1888.)

[**S. P.**] When Bleau (*sic*) first introduced his prefses (which were almost as superior to those which preceeded (*sic*) them as Earl Stanhope's are to Bleau's), the obstacles thrown in their way were so many, that Luckombe, when he wrote his Printer's Grammar, could only account for the slowness with which they were adopted, by the 'Prefsmen not having reason sufficient to distinguish between an excellent improved invention, and a make-shift slovenly contrivance practised in the minority of the Art[1].'

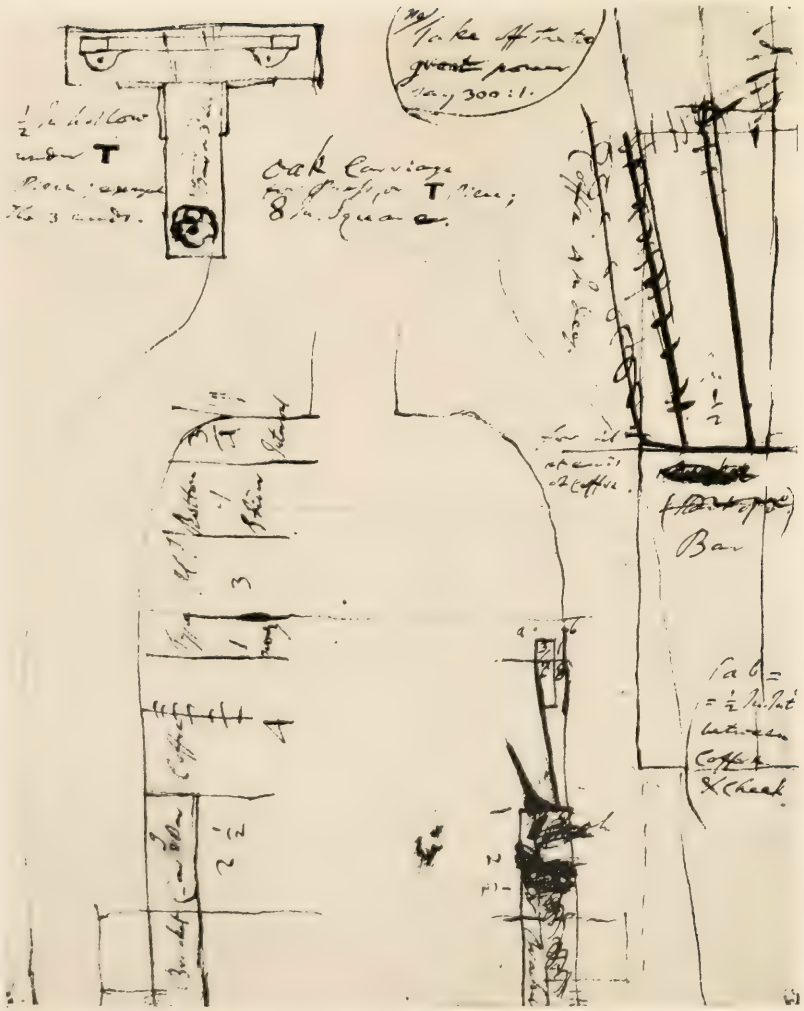
This prejudice, however, has been confined to the Metropolis, and even here we are happy to observe it is gradually wearing away. Those Printers in the Country, whose workmen are generally more tractable than those in London, and who are not blinded by prejudice or ignorance, have found no difficulty in introducing them with the very best effect.

The high price of the Stanhope prefs (compared with that of the common wooden ones) has, by many, been considered as likely to check the sale of them, and render the general adoption of them doubtful. But when we reflect that £60. and even £70. have frequently been given for presses on the French construction, we certainly shall not be induced to consider the price of the Stanhope press so extravagant as it has been represented. With respect to their general adoption, it can only be a work of time, for we cannot for a moment suppose, that a Printer will pull down his old Prefses and burn them (for sell them he cannot) for the sake of replacing them with others on the Stanhope construction; but, as he finds it necefsary, either from the increase of his businefs, or the failure of his old Prefses, to employ new ones, he will, we are convinced, resort to the Stanhope Prefs as the only one calculated to answer all the purposes of *fine* as well as *common* printing.

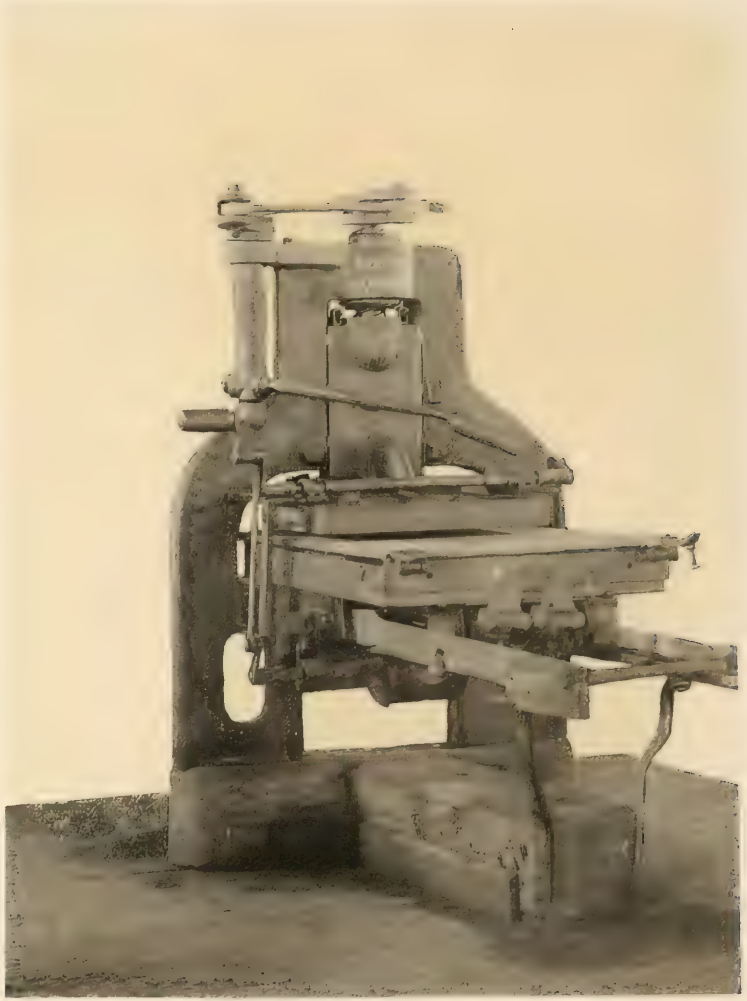
The accompanying plate contains a facsimile of Lord Stanhope's first sketch of the frame, &c. of an iron press; and beside it is a photographic illustration of a Stanhope press 'of the first construction' still in use at the Clarendon Press, Walton Street. The date is before 1805.

The regulations on the next page are in Lord Stanhope's own style, and were certainly drafted by him:—

[1] 'There are two sorts of [wooden] presses in use, the old and the new fashioned; the old sort, till of late years, were the only presses used in England, for which there can be no other reason given, but' [then follows the sentence which Lord Stanhope quotes].—Luckombe, p. 291.



ORIGINAL SKETCH BY CHARLES EARL STANHOPE
(From the Stanhope Papers)



IRON PRESS 'OF THE FIRST CONSTRUCTION'
(From the original at the Clarendon Press)

[S. P.] DIRECTIONS FOR USING THE STANHOPE PRINTING PRESS.

THIS Press contains a mechanical power, far superior to any of those inventions which are commonly termed THE MECHANICAL POWERS. It is therefore proper to *regulate* this immense force, in such a manner, as to prevent it from breaking or injuring the Machine itself. This is completely effected, by means of a small piece of iron, *half an inch square*, which belongs to the Press, and which is called the REGULATOR.

When any Form is laid on, and *before* the Press is pulled for trial, or adjustment; the REGULATOR should be placed against the STOP of the UPPER LEVER BAR, in order to keep that LEVER BAR at the distance of *half an inch* from its STOP.

FOUR ADJUSTING SHEETS OF THICK PRINTING PAPER, exclusively of the sheet to be printed, must then be placed on the Tympan, *in addition* to the thin blanket or papers it may contain. And THESE FOUR ADJUSTING SHEETS being thus placed on the Tympan, the HAND BAR must be pulled, in order to bring the UPPER LEVER BAR quite home to the REGULATOR, if it *can* be brought home to it by a common pull of one man's right arm. But, if it *cannot;* then, one sheet of paper must be taken out of the Tympan, or two or more sheets, if necessary, till the UPPER LEVER BAR can be brought home to the REGULATOR by a common pull, as mentioned above.

But it is particularly necessary to be observed, that, during all this time, THE FOUR ADJUSTING SHEETS must remain on the Tympan, and none of them must be taken off, upon any account, at the time the pull is taken.

When the Press is adjusted in the manner just explained, its power is upwards of *three hundred times* the force of one man, which (as experience has fully proved) is more than sufficient to work off the heaviest Form; inasmuch as the generality of Printing Presses now made are only equal to *fifty times* the force of one man.

The FOUR ADJUSTING SHEETS may now be taken away; and then (but not till then) the REGULATOR may be removed, and the Press worked. If the REGULATOR should, contrary to the rule here laid down, be removed *before* the FOUR ADJUSTING SHEETS are taken away; then, the power of the Press, from that circumstance alone, becomes equal to the force of *several thousand men.* This force is so immense, that the very CHEEKS OF THE PRESS have actually been pulled in two, when the rule above laid down has not been properly attended to. This fact proves, in a very striking manner, the prodigious power of the Press; because it has been calculated that those thick CAST IRON CHEEKS would require a dead pull equal to at least the weight of *four hundred tons*, in order to tear them in two, in that manner.

Such an accident can, evidently, never happen, except from the injudicious and unsafe application of the new and enormous force which this Press is capable of producing, when its full power is brought into action, at the end or extremity of the pull.

Too much caution cannot be had, with respect to the power of this Printing Press. And the Pressmen should be very particularly instructed, never to add any blanket, or even any sheet of paper, in or on the Tympan, nor to use any *overlays*, without ascertaining the actual power of the Press, in the simple manner above explained; namely, by trying the pull, when the REGULATOR is placed against the STOP, and when the FOUR ADJUSTING SHEETS are, at the very *same time*, placed on the Tympan.

The two following UNIVERSAL RULES should be laid down.

First, Never to interpose any *additional* thickness, between the COFFIN and the PLATTEN, without first ascertaining the power of the pull, by using (by way of trial) the REGULATOR, together with the FOUR ADJUSTING SHEETS, in the manner particularly explained above.

And, secondly, Never to pull the Press, without taking out the FOUR ADJUSTING SHEETS *before* the REGULATOR is removed.

Vine Street, Piccadilly.—July, 1805. ROBERT WALKER, PRESS-MAKER.

Stereotyped and printed by A. Wilson, Duke Street, Lincoln's Inn Fields.

That Lord Stanhope was exceedingly anxious to avoid bad workmanship in his presses is shown by the following letter, boldly endorsed in his handwriting, 'Copy of Earl Stanhope's Letter to Mr. Andrew Wilson, dated Jany. 4th, 1805; about *the* 28 *Printing Presses.*' At this time, apparently, Walker was copying the Stanhope Press, and selling it on his own account:—

[**S. P.**] Chevening House, near Sevenoaks, Kent, Jan. 4, 1805.

Sir,—Having been informed that you have got a List of *Twenty-Eight Printing Prefses* wanted, for yourself or for others, to be made on the plan invented by me, I wish you to have the goodness to communicate forthwith, to a Meeting of those Master-Printers for whom the Prefses are intended, the contents of this Letter; and to inform me, by a Line, after you have done so, what their opinion is, with respect to the following suggestion.

It is a great object, that a good mechanical principle be not discredited by an imperfect execution, either with respect to strength, durability, or accuracy. For, a *bad* Article, becomes a *dear* Article to any one who becomes a purchaser.

I should, therefore, strongly recommend to the Gentlemen concerned, to require *any Person* who shall undertake to execute so large an order, to give first a Bond, in a penal Sum of not lefs than five thousand Pounds, that he will permit *any one or more* of the twenty-eight *Stanhope-Prefses* to be publicly examined by the Inventor at the Pantheon, or such other public place, in the presence of all the Master-Printers of London and Westminster; provided that Mr. Walker of Vine Street shall consent to bring one of the Prefses executed by him, to undergo a *similar* public Examination, with respect to each property or circumstance relative to which the *other* prefs shall have been thus submitted to examination. The Result is to be drawn up, upon the spot, by a Committee of Printers, and to be published in all the daily Papers.

This strict and just mode of proceeding will ensure *the great object* of causing the Printers to be well and honestly served.

I am very anxious that a Number of defective Prefses shall not be delivered out to the public, purporting to be my invention.

Believe me, Sir, very sincerely Yours,

Mr. Andrew Wilson, (signed) Stanhope.
Printer, Wild Court.

Among these purchasers were the Oxford Delegates:—

[**D. M.**] October 17, 1805.—Mr. Bensley and Mr. Cooke, Partners, and Printers to the University, report that two new Prefses

of Lord Stanhope's Invention, have been already put up in the House. A Model[1] of this new invented Press was also brought by Mr. Bensley as a present to the Board from Lord Stanhope.

[**D. M.**] October 25, 1805.—Order'd, That the Vice-Chancellor be requested to write a Letter of Thanks to Earl *Stanhope* for the Present of the Model of his new Printing Press.

[**D. M.**] December 11, 1805.—Order'd, That Mr. Collingwood be empowered to order one of the new Presses from Mr. Walker [!] for the use of the learned side of the Press.

Lord Stanhope records the following items of information from outside:—

[**S. P.**] May, 1809.—Mr. Whittingham (printer) uses 2 fine cloath blankets. Wears the Types much lefs than 1 does. Prefers 2 Rollers for wetting paper to 2 Boards. Prefers Foreign (Italian) Ink to any English.

The following memorandum from the 'Partners of the Bible Trade,' Messrs. Bensley, Cooke, Collingwood, and Parker, shows how the want of room for more Stanhope presses led up to the building of a new printing-office:—

[**D. M.**] Oct. 20, 1812.—In consequence of the increased demands for Books from the Oxford Bible Warehouse, to the supply of which demands the present Establishment is found to be inadequate, it is judged expedient to make a farther addition to the number of Prefses already employed in the House.

The Partners therefore beg leave to submit this to the consideration of the Delegates of the Press—and farther to represent to them, that as the Printing House is incapable of containing more Presses, it is necessary, in order to carry their wishes into effect, that some additional premises should be procured.

And as it appears that there is now to be disposed of a house adjoining to Mr. Cooke's, which is large enough for the purpose, and which, from its proximity to the Clarendon Press, would be found very convenient, the Partners take the liberty to request that the Delegates would have the goodness to put them in possession of that house—by which they would be enabled to set up four more prefses, and, which is of very great importance, to appropriate two rooms at the Stereotype Office to the purposes of drying, &c.

It is proposed to place the Compositors, the Pickers, and the Copper-Plate Printer in the new house. The sum demanded for the house

[1] This model has been carelessly lost, or broken up.

is 400£. In addition to which it will probably be necessary to expend 100£ in repairs.

This provision, however, sufficed for less than thirteen years :—

[**D. M.**] April 29, 1825.—The partners having reported that in consequence of the increaſed and increaſing demands for Bibles and Common P-bks they are apprehenſive that the market cannot be ſupplied unless more room can be obtained for the erection of warehouſes and other buildings of ſufficient capacity to carry on the trade, Resolved that it be recommended to the Delegates of the press to purchaſe a lot of land now for ſale in St. Thomas's parish, on which the requisite buildings may be erected.

[**D. M.**] November 2, 1825.—Mess. Collingwood and Parker having carefully conſidered of the buildings proper for carrying on the increaſed and increaſing buſineſs of printing bibles and common prayer books, and Mr. Dan Robertſon architect having made a plan in conformity with their ſuggestions, the committee ſubmit it to the conſideration of the board, hoping, that, if it be approved, directions may be given for the preparation of working plans and ſpecifications, and ſubsequently for obtaining the tenders of builders willing to undertake the work.

The result was the building of the New University Printing-house in Walton Street, and its occupation in 1830.

It is not necessary to pursue this part of the subject. The Stanhope iron press was immediately improved upon by other makers. Its inventor claimed no monopoly, and refused to protect his invention; indeed, as in the case of Stereotyping, he almost invited others to exploit it. The Stanhope press was soon superseded by the Columbian and other iron presses; and these again were displaced by Cope's Albion press, which has a spring in addition to the levers. Cope's handpress still holds the field (1896).

V.

Inking with Rollers.

Simultaneously with his improvements in regard to stereotyping and to presses, Lord Stanhope turned his attention to the mode of inking. Among his papers is a sheet headed—

[**S. P.**] 'Specimens of Typography, without the Use of Balls; executed at the Printing Press lately invented by Earl Stanhope. The Printing

Press made by Mr. Robert Walker, of Vine Street, Piccadilly. The Inking Roller made by Mr. Charles Fairbone, of New Street, Fetter Lane. London: Printed by William Bulmer & Co., at the Shakespeare Printing Office, Cleveland Row, 1803.'

In this sheet the woodcuts appear inked by the new method; and in a memorandum which has no date Lord Stanhope refers to 'the leather of the roller,' which shows that his rollers were made of that material, and not of treacle and glue, as now. Lord Stanhope made experiments with everything which was likely to do better than leather, but did not achieve complete success[1]. He also gives receipts for the making of ink; and, as the scheme for his book shows, he intended to deal with 'paper[2].' The woodcuts in the specimens are as black as if they were printed yesterday.

VI.

The Stanhope 'Cases' and the Stanhope Logotypes.

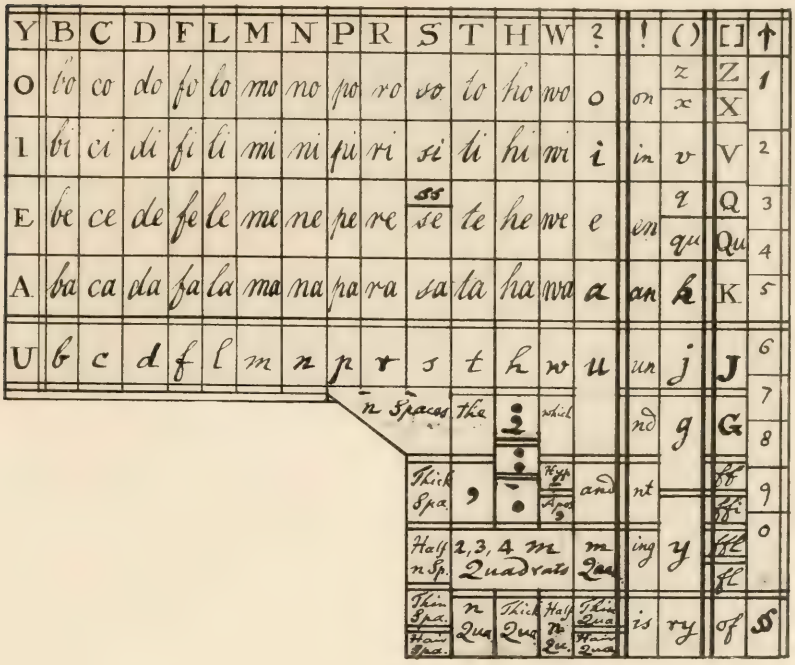
While serving the pressman and the stereotyper, Lord Stanhope did not forget the compositor. He considered that the ordinary double and triple letters, such as **fi** and **ffi**, were not sufficiently useful as combinations to be retained in the printer's case; and that the other letters, the single ones, were not placed in the cases conveniently. In order to get rid of the old logotypes, Lord Stanhope wished to alter the shape

[1] 'All that Lord Stanhope so anxiously desired, and which even his inventive and indefatigable powers could not surmount, was at length achieved by the mere chance observation of a process in the Staffordshire potteries, in which they use what are there called dabbers. These were formed of a composition which appeared to possess every requisite for holding and distributing the ink, imparting it equally over the forme, and being easily kept clean, soft, and pliable. Mr. Forster, an ingenious printer, then in the employ of Mr. S. Hamilton, at the bookseller's printing office at Weybridge, was the first who applied it to letter-press printing, by spreading it, in a melted state, upon coarse canvas; and making balls, in all other respects in the usual manner. The inventors of printing *machinery* soon caught the idea, and by running the composition as a coat upon wooden cylinders, produced the apparatus so long and unsuccessfully sought by Lord Stanhope, and without which no machine-printing would ever have succeeded.'—Hansard's Typographia, p. 623.

[2] See p. 373.

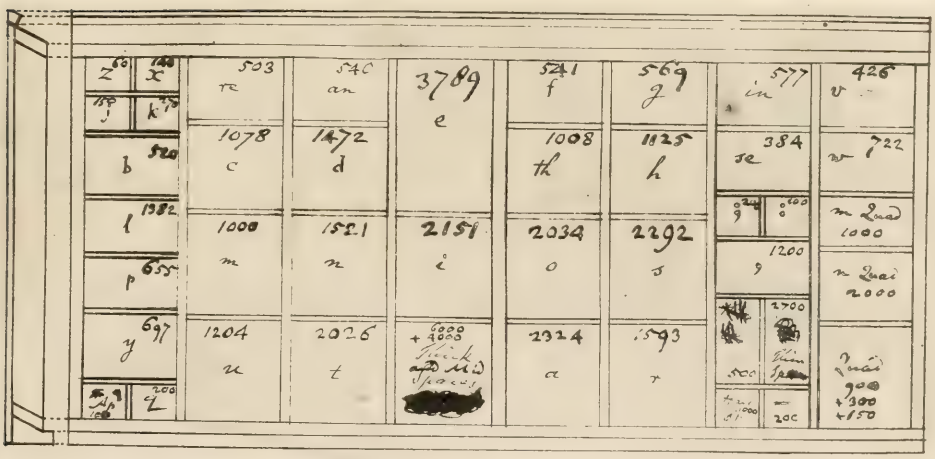
of the lower-case **f**, and the weighty reasons which he gave for the new shape of that letter are very amusing. 'Man,' he says, 'is so much the child of custom, and so much the implicit admirer of fancied beauty, that I believe that if the human body generally was very round-shouldered, and if the head projected considerably beyond the chest, it would, in such a case, be a deformity to see a man with an upright body, and carrying his head erect. Having this opinion upon so weighty a subject, I was not surprised to meet with objectors to the proposed alteration in the shape of so humble a servant of literature as the letter **f**: readers had so long been accustomed to meet her with a downcast head, apparently too weighty to be supported by her feeble neck, that she failed in meeting with a welcome reception in assuming the appearance of strength by carrying her head upright[1].' He devised an entirely different system of 'logotypes'—i.e. letters joined together so as to make a word or part of a word—and relaid the cases on a new plan. Lengthy columns of figures, on all sorts of scraps, and designs both rough and finished, remain to show the vigour and concentration of mind with which he approached this new scheme. First, he thought that one large case should contain all the letters—capitals, small letters, points, &c.; of which case the left-hand corner was notched out, so as to make room for the compositor's body, and to bring all the letters within reach of his right arm. Next, Lord Stanhope changed this plan, and located the capitals and small letters in various parts of two separate cases. In his second design he determined that the partitions which kept apart the letters in the case should be sloping and not upright. He thought that the compositor could pick out the types more easily. Having worked the idea out on paper, he next, with his usual thoroughness, had cases made on the new method. But in this instance also his efforts were not crowned with success. Two of his logotype cases came to light a few years ago during some alterations at the Clarendon Press, and no compositor had any idea what they were. Search in reference books, however, revealed that they were figured and described

[1] Hansard's Typographia, p. 477.



1. ORIGINAL SKETCH BY CHARLES EARL STANHOPE

(From the Stanhope Papers)



2. FINAL SKETCH BY CHARLES EARL STANHOPE

(From the Stanhope Papers)

3. ACTUAL LOGOTYPE CASE

(From the original at the Clarendon Press)

in Johnson's Typographia, vol. ii. pp. 102–3. But, alas! when the case is tilted up, as it must be in use, all the types fall out! A photographic representation of one is given herewith, together with sketches showing the first and second ideas of Lord Stanhope.

But just as, in his other 'inventions,' Lord Stanhope was not the only worker in the field, so was it in the case of his logotypes. It is a fact (although in these days it seems incredible when stated) that the *Times* newspaper was started in order to prove—not what a great newspaper ought to be—but to show that logotype-printing was the only proper way to print! Mr. Godfrey Walter, the present manager of the *Times*, has been good enough to let me see some of the actual logotypes used by the first John Walter. The story is short, and bears directly on our subject. In 1782 John Walter, the founder, printer, conductor, and first editor of the *Times*, 'became associated with one Henry Johnson, a compositor, who entertained original views on the art and method of printing. For the ordinary moveable types, representing single letters, Johnson held that an economical substitute could be found in what were called "logotypes," or whole words cast in type[1].' Mr. Walter 'was impressed with these improvements; he contributed to complete them, and became, in concert with Johnson, a patentee of printing by means of "logotypes." He was confident that logotype-printing would effect a revolution by which both the nation and he would profit. He founded the newspaper now known as the *Times* to prove that newspapers, as well as books, could be printed far better and more cheaply than by the system in common use[2].'

'Such was the origin of the *Times*. Mr. Walter had set up in business as a printer and publisher on a new typographical system, and the *Daily Universal Register* was founded, as a commercial venture, on the faith of the new system. It was "printed logographically," as the title informed its readers; and several books, which are frequently advertised in the earlier

[1] See an account of the Centenary of the *Times*, given in the issue of Jan. 2, 1888, p. 9.

[2] *Nineteenth Century* for January, 1885, pp. 45, 46.

numbers of the *Times*, were also printed by the same method and published by Mr. Walter in Printinghouse-Square. When the title was changed, the paper was still printed "logographically"; and these words are found on the first page of the *Times* throughout the first year of its existence. Nevertheless the logographic system ultimately proved a failure, and Mr. Walter abandoned it[1].'

A similar fate befell the logotypes of Charles Earl Stanhope; although his confidence in their success was frequently stated. Papers remain showing how, with infinite pains, he corrected and tabulated all the letters, points, spaces, &c., in twenty pages of Enfield's 'Speaker,' and proved, to his own satisfaction, that such letters as occurred frequently in combination, like '**and**,' '**from**,' '**the**,' &c., should be cast in one piece, and then enormous labour would be saved. Theoretically he was right; but the extraordinary size to which the compositor's case would have had to be increased in order to give him a sufficient supply of the Stanhope (or indeed any other) logotypes, proved fatal to the scheme. Logotypes are not largely used in any printing-office. When they will save the compositor labour, it is easy for him to put the word aside in the act of distributing; and thus to reserve it for further use, whether it contains three letters, or two, or four. This possibility is fatal to logotypes in general, and no doubt brought about the failure of Lord Stanhope's system. Here are some of his calculations:—

[**S. P.**] From an attentive Examination of Twenty Pages of Enfield's Speaker, (namely, Page 71 to 90, both inclusive), it appears that the Nine following Ligatures, now in Use, occur only the Number of Times hereafter mentioned:

ff	28
fi	51
ffi	4
fl	10
ffl	2
Æ, Œ, æ, œ .	0
Total, only	95

These are proposed to be printed with separate Types, thus: ff, fi, ffi, fl, ffl. And the Italic thus: *ff*, *fi*, *ffi*, &c. instead of *ff*, *fi*, *ffi*, &c.

[1] *Times*, January 2, 1888, p. 9.

If the Eight following new Double Letters were, agreeably to Earl Stanhope's Plan, to be substituted instead thereof, then the Number of Lifts saved, in the same Twenty Pages, would be 3073, viz.

th	771		2301	Brought forward.
in	441	to . . .	279	
an	413	of . . .	264	
re	385	on . . .	229	
se	291		3073	Total saved.
Carried forward . . .	2301			

Earl Stanhope has contrived Type-Cases on a new Principle, in order to preserve the Types from Wear, when the Cases become low. Mr. Keeton, Carpenter, in Brewer Street, Golden Square, has had an Order to make a great Number of them for the University of Cambridge. They are to be seen at his House. The above-mentioned Double Letters, together with the Advantage derived from the new Cases, may save one Hour in six to the Compositor. This is a Circumstance of immense Value in all those Instances where Dispatch is required. One Upper and one Lower Case, on the new Plan, will answer well for a Fount of Five Hundred m's of the new broad-face Long Primer: and an equal Weight of m's of any other Fount will nearly correspond thereto. Two Lower Cases, on the new Plan, contain the Types of three Cases on the old Construction. The new Cases are of the same Length and Breadth as the old, but they are deeper.

The Roman Letter, in the following Extract, is a Specimen of the new broad-face Long Primer of Caslon and Catherwood, of Chiswell Street: and the smaller Type, under it, is their new broad-face Minion. The new Double Letters are added to those Founts. Those two beautiful Letters are of the right Size for Newspapers. The broad-face Letter does not drive out, as appears from the following Comparison with former narrow-face Letter.

New Type. ||abcdefghijklmnopqrstuvwxyz,;:.||abcdefghijklmnopqrstuvwxyz,;:.||
Old Type. ||abcdefghijklmnopqrstuvwxyz,;:.||abcdefghijklmnopqrstuvwxyz,;:.||

Printed by A. Wilson, Wild Court, Lincoln's Inn Fields.

VII.

Pantatype.

Of this, the last invention mentioned in Lord Stanhope's list, only a few details are given in his papers. But in this connexion the reader is first referred to the curious particulars given in Foulis' and Tilloch's patent as to 'striking or stamping in metal, clay, or earth, or a mixture of clay and earth[1].' Then, there are in the work of Camus some remarkable details about copperplates, and of processes for multiplying plates. Referring to Gengembre, Camus says: 'Une autre opération du Citoyen Gengembre—opération que je n'hésite pas à qualifier de découverte—fut la multiplication de planches pour la gravure en tailledouce. Le résultat était d'obtenir, d'une seule planche gravée en creux, plusieurs planches également gravées en creux, toutes identiques[2].' This Camus calls 'polytypage'; probably it suggested to Lord Stanhope what he called Pantatype. In the letter of A. Wilson to 'Authors, Booksellers, Printers, and Schoolmasters' already quoted, Pantatype is described as 'universal type-printing.' It was perhaps the copying of engraved blocks and plates by stereotyping in hard metal. Notice the following fragment:—

[**S. P.**] Important exp[erimen]ts in Autumn 1811.—Zink equal 3, & Tin equal 2, good Metal for multiplying engravings; but 1 brass & 5 Tin ſtill better, & best yet, for that purpose. Cuts beautifully and uncommonly *fine*; ſtands well at oblike Crossings; and does not *soil* the Cutter.

Andrew Wilson (i. e. Lord Stanhope) says Pantatype was invented by Foulis; and it is classed with Stereotyping, as though the processes were allied. It is curious that quite recently the multiplying of engravings by casting in hard metal[3] has come again into vogue; and that the inventor of the process claims for it nearly as much power to withstand impression as Lord Stanhope claimed for Pantatype.

[1] See note 1, p. 373. [2] Histoire, &c. p. 476.
[3] Dalziel's process of copying engravings in relief.

In John Bulwer's Chirologia, 1644, signature A 2, the following lines occur:—

> 'In Nature's Hieroglyphique grasp'd, the grand
> And expresse Pantotype of Speech, the *Hand*.'

This however has probably no reference to Stanhope's idea, but is merely a parallel formation, meaning 'universal type.'

What then was Pantatype? My own opinion is that, inspired by the long string of inventions described, and of inventors catalogued, by Citizen Camus, Lord Stanhope thought he saw his way to a widespread adoption of what we now call 'process' work; and this of course before photography was dreamed of. Stereotypes were to be used instead of types; hard-metal relief blocks in place of wood-cuts; intaglio engravings were to be copied and turned into relief blocks by the processes of Gengembre and others. Books, drawings, maps, plans, engravings—all were to be capable of multiplication at their sources, as well as by printing-off copies. Pantatype was the name he gave to these processes, which in his own mind he arranged as a series. In that sense Pantatype would be 'universal type-printing.' But he did not live either to perfect his inventions or to finish his book.

Nevertheless, the services rendered by Charles Earl Stanhope to the printers of his day and generation were real and great; and their effect remains. If it cannot be said that any immediate gain accrued to the Universities of Oxford and Cambridge from his process of stereotyping, that was because the very terms of agreement upon which he insisted rendered a practical monopoly impossible[1]. No doubt the sum of £4,000 paid (with his consent) to Andrew Wilson by the University of Oxford, together with other sums from the

[1] 'Lord Stanhope would never suffer any of his improvements in printing to become subjects of patent or monopoly. So extremely anxious was he upon this subject, that, whenever he had anything new in hand, which he found likely to succeed, his first step was, to take the precaution of entering a notice or caveat at the Patent Office, to prevent any one else taking advantage of his ideas, and obtaining a patent. These caveats he regularly renewed at the end of the limited period.'—Hansard's Typographia, pp. vi, vii.

University of Cambridge, amounting (as he says) to £3,900[1] are included in those calculations of Wilson which have been printed together with his appeal for more money. But certainly Lord Stanhope would have none of it; and how many thousands of pounds in addition were sunk by Charles Earl Stanhope in his various schemes, will never now be revealed.

He died in 1816; and the fate of 'many inventions' has befallen his processes. Stereotyping, as he understood it, and of which he wrote in large capitals—the gypsum or plaster process, that is—has been practically abandoned. The Stanhope iron handpress was altogether superseded in a few years; and the handpress printer has been nearly improved off the face of the earth by the power of steam and the cylinder printing-machine. Stanhope type-cases survive only as curiosities; and the Stanhope logotypes have long since been consigned to the melting-pot. Doubtless the ready ear and the open purse of Lord Stanhope brought him impracticable proposals from plausible schemers. But he did solid good to the Art of Printing at a time when help was sorely needed; and his association with the ancient Press of the University of Oxford deserves at least this imperfect record.

HORACE HART.

[1] See note, p. 383.

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ERRATA

Page 59, line 11, *for* Swyneshened *read* Swynesheued.
62, line 3 from bottom of page, *for* capelli *read* capelle.
63, line 2 from bottom, *for* quo *read* pro.
100, line 4 from bottom, *for* a messuage (vnt mes) *read* eight messuages (viij mes).
106, line 19, *for* Wemoustier *read* Wemonstier.
110, line 8, *for* St. Peters *read* St. Peter's.
113, line 9 from bottom, *for* libri *read* librarum.
137, line 18, *for* vicecomite *read* vicecomiti.
149, line 24, *for* by *read* to.
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188, line 13, *for* Sirker *read* Sinker.
227, line 10 from bottom, *for* glosatus *read* glosati [?]
233, line 16 from bottom, *for* Suetonium *read* Suetonio [?]
241, line 12, *for* Rofredum *read* Gofredum.
350, line 28, *for* Aularam *read* Aularum.

ADDENDA

TO

COLLECTANEA III

PART V.—CLARENDON CORRESPONDENCE.

[MR. MADAN has most kindly called my attention to the following letter, which he has just discovered in the Bodleian Library (MS. Pigott d. 9, fol. 114), and which has never yet been catalogued. It has been separated by some accident from the Series of letters presented by Lord Derby to the University, and should be inserted between Letters xvi and xvii. This letter renders it certain that Dangerfield died two *days*, and not two *hours*, after the injury which he received from Robert Frances (see *Dict. of Nat. Biog.* xiv. 18, and Luttrell's *Brief Relation*, i. 351). Macaulay's conclusion is that Frances was 'at worst guilty only of aggravated manslaughter.' Frances' conviction and execution on the capital charge can scarcely be justified or excused.—C. E. D.]

[Bodleian MS. Pigott d. 9, fol. 114.]

XVI a.

WHITEHALL *July 6th* 1685.

MY DEAR LORD

This morning the King had lettres from Lord Feversham on the 4th at nine of the clock at night, he was then at Sommerton, but resolved to march with the whole Army, as yesterday morning, to with in two miles of Bridgewater, where he intended to encamp, and by that means to keep always neer the Rebells, and hinder provisions from going into them; the Rebells were then at Bridgewater, and one, who came out of the Town on Satturday in the afternoon, saw them at worke in casting up earth to fortify themselves; what they designe in soe doing, is not to be immagined, for 'twill be very easy to keep all provisions from comming to them: to morrow, probably, we shall have some account of what is doing. The three Scotch Regiments from Holland, one Troop of Horse, and a Troop of Dragoons, are this day march'd | from Branford towards the West, fol. 114b.

which will be a great addition to the King's army, besides a thousand foot more which will be with them to morrow.

Your Lordship will find in the Gazette an account of the affaires of Scotland; God be thank'd all the heads of that Rebellion are now taken; I hope those of our English Rebellion will quickly meet with the same fate. On Satturday Dangerfield was whipp'd to Tyburne, and comming back from thence in a coach with the Keeper of Newgate, in Holborne one Mr. Francis a Barrister of Gray's Inn, run up to the coach, and struck at Dangerfield with a stick, the ferrule of which struck into his eye, the eye immediately fell out, and by the time he gott to Newgate, he fell into terrible payn, and delirious, and yesterday in the forenoon he dyed; Francis is apprehended, and now in Newgate; the Coroner's Enquest have returned it murther; and Francis will speedily be tryed for his barbarous villany.

I have nothing further to acquaint your Lordship with at present; and am with great respect,

My Lord,
Your Lordship's
Most faithfull humble Servant
CLARENDON. C. P. S.

For the Right Honorable
The Earle of Abingdon
For his Majesty's service. free
At Oxford.

PART VII.—CHARLES EARL STANHOPE AND THE OXFORD UNIVERSITY PRESS

SINCE the publication of this volume, the letter which was written by Earl Stanhope to the Delegates, when he presented to them his model Press (see *Collectanea III*, p. 403), has been found, although the model itself has not, I am sorry to say. The letter is in the following terms:—

[D. M.] Stratford Place, July 29th, 1805.—Sir I take the liberty of sending you, for the University of Oxford, a *Demonstrative Model*, of the Principle of my newly invented Printing Prefs. It is founded upon that grand and universal Principle in Mechanics, namely; that *Power produced, is inversely as Velocity produced, and directly as Velocity producing*. Please to present them that Model, with my best respects, together with this Letter, and also the inclosed *Directions* for using my Prefs. I send inclosed another Copy for *yourfelf*. I am, Sir, your moft obed: ent Servant, STANHOPE. Mr. Bensley.

The document is interesting, for being entirely in his Lordship's handwriting, it proves conclusively the statements made on pp. 377, 402 and elsewhere, that the 'Letter of Andrew Wilson' and other documents which purported to be written by Wilson or to Wilson, or to be in some way the concern of that person, were really due to Lord Stanhope himself, whose tremendous energy could not be suppressed, although characteristically his Lordship did not wish to appear too obviously in person. The *Directions* are no doubt those printed on page 401.

In regard to the statement about Paper-hangings, p. 380, an old printer friend writes to me as follows:—

In the monograph on Earl Stanhope, one of your notes [p. 380], to the effect that paper-hangings were 'seemingly' printed at a hand-

press, arrested my attention. This was so until my own boyhood. My eldest brother was employed at a large paper-hanging manufactory beside Rosemary Branch Bridge, Hoxton.

Before I went to Woodfall's I often went to the factory, and fed the trough with ink—quite a boy's task, as you may suppose. A large block of some hard wood had cut in relief the design, of course for one colour only. This had two leather straps at top, by which the operative held the block and dipped it into the trough of colour, and thence on to the paper to be printed. The paper with this impression was drawn along a short distance over the table of the hand-press after printing, and the man repeated the operation until his 'piece' (12 yards) was completed. Of course he had to go through this process for each colour that was to be displayed on the paper. This was at a good-sized factory (some 100 hands I should think), and no other method was there practised. The time I speak of was in the forties. How soon after, machinery changed all this I do not know; but I do not remember hearing of such change for some time after that.

H. H.

June 21, 1897.

Oxford Historical Society.

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